

## THE JUSTICES OF THE SUPREME COURT OF ILLINOIS



*Left to Right:* Justice Lloyd A. Karmeier, Justice Thomas L. Kilbride, Justice Charles E. Freeman, Chief Justice Thomas R. Fitzgerald, Justice Robert R. Thomas, Justice Rita B. Garman, Justice Anne M. Burke.



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Cover Design: Inside the Illinois Supreme Court, Springfield, Illinois. The murals within the courtroom were completed in 1911 by Albert H. Krehbiel and depict the "Origin, Function, and Continuity of Law" using allegorical and mythological figures. Mr. W. Carby Zimmerman, architect of the Supreme Court Building, considered the work to be an "example of the best mural painting ever executed in the West." (information source: www.krehbielart.com) Cover photos provided by Daniels-Ackerman Photography.

> Printed by Authority of the State of Illinois 11-10/300/PR10-2157



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## LETTER OF TRANSMITTAL



Cynthia Y. Cobbs Director

of the Illinois Courts. This report presents an overview of the Illinois judicial system and its programs, services, workload, and funding. Calendar year 2009 continued to be a challenging time in our State and for the "Third Branch", as we stretched substantially reduced resources to sustain core functions of the judiciary. The 2009 Annual Report includes many accomplishments for the judiciary and summarizes such events as the 2009 Advanced Judicial Academy, the new Illinois Rules of Professional Conduct, as well as caseload and statistical synopses of the judiciary. The report also presents a comprehensive overview of probation's workload, an area of deep concern as vastly diminished resources will impact its role in public safety. This report concludes with a brief description and overview of the six divisions of the Administrative Office of the Illinois Courts, their current projects, and forecasts for the upcoming year.

The Administrative Office recognizes, and sincerely appreciates, the important contributions made by the clerks of the supreme, appellate and circuit courts in providing the statistical data included in this report. As always, I am proud of the accomplishments of my

staff, and I wish to thank them and others who played key roles in preparing this document. The Illinois Judicial Branch's commitment to providing access to justice for Illinois citizens is ongoing and evident throughout this report. Notwithstanding serious fiscal constraints, the Illinois Courts remain vigilant in ensuring respect for human dignity and the protection of the rule of law. The Administrative Office is privileged to be a facilitator of this constant goal.

I hope that you find the Annual Report to be a valuable resource and a compelling account of the ongoing work to ensure justice for the citizens of our State. Please visit the Court's website at <a href="https://www.state.il.us/court">www.state.il.us/court</a> for further information regarding the Illinois Courts and the Administrative Office. This report can also be accessed through our website. The website is an ever growing source of information and education for the citizens whom we serve.

Sincerely,

Cynthia Y. Cobbs, Director

Administrative Office of the Illinois Courts





# A MESSAGE FROM CHIEF JUSTICE THOMAS R. FITZGERALD

n behalf of my fellow Justices of the Supreme Court of Illinois, our Administrative Director, Cynthia Y. Cobbs, and the more than 950 judges who serve Illinois' unified court system, it is both my distinct pleasure and an honor to present the 2009 Annual Report of the Illinois Courts.

The role of the Illinois courts is to protect rights and liberties guaranteed by the constitution and laws of the United States and the State of Illinois, to impartially uphold and interpret the law, and to provide open, just, and timely resolution of all matters before the courts. I am gratified to report that the integrity and efficiency of Illinois' judiciary remains strong and secure, in spite of the challenges we face annually for our court system.

As the global economy continued to falter in 2009, the Illinois courts were not exempt from the challenge to deliver justice with dramatically reduced resources. Throughout the nation, state courts are experiencing increased caseloads and dwindling resources, even struggling in some instances to keep courthouse doors open. Here in Illinois, our trial courts, consisting of 23 circuit courts situated throughout the state's 102 counties, also face similar challenges. With continued cooperation and coordination, the circuit courts weathered a storm of budget cuts, diminished number of court personnel and reduced work hours. In spite of these difficulties, the delivery of justice to the people of Illinois has been consistently maintained. As trial courts are often the public's only exposure to the legal system, continuing daily operations was especially critical, and I praise the local circuits for their efforts in this regard.

The companion book to the Administrative Summary, the Statistical Report, provides information on the number and types of cases filed and disposed of in our courts over the course of the 2009 calendar year. What follows here are merely snapshots of the non-adjudicative work of our courts which is no less an essential component in the continuing endeavor to administer justice to the citizens of Illinois.

Over a century ago, probation was established as part of the newly formed juvenile court in Cook County, Illinois, the first juvenile court in our nation. Since its development, probation has been an invaluable tool in the arsenal of sentencing options available to criminal trial court judges. Having as the overarching goal, the promotion of public safety through the effective supervision of offenders in the community, probation links our justice system's many stakeholders, including the courts, law enforcement, prosecution, defense bar, and victims as well as mental health, drug, alcohol, and family services providers. Operating under the authority of the Supreme Court, the longstanding mission of probation is to reduce crime and restore offenders, both adult and juvenile, to useful and accountable citizenship. These are not easy tasks.

Without a doubt, among the most critical financial and operational issues faced by the Illinois courts in 2009 was the 45% reduction in state appropriations to the Supreme Court to sustain the system of adult and juvenile probation. So woefully inadequate was the 2009 funding that the likelihood of massive reductions in the probation workforce was made certain, thereby compromising probation departments' ability to supervise the more than 115,000 probationers in our state. Out of this fiscal crisis emerged the Court's strengthened commitment to allocating its resources consistent with the principles of evidence-based practices, in which the highest risk offenders receive the predominant focus of case

management, supervision strategies, and clinical – behavioral interventions to reduce the risk of reoffending. Nevertheless, given the gravity of the situation, I urged the Governor to restore funding for these vital services. Those of us charged with the delivery of probation services here in Illinois are grateful for the Governor's favorable response to our request, which diminished, in part, the dismantling of a long established system of community corrections.

Since its establishment over a decade ago, Illinois' New Judge Mentor Program has well served our judiciary by pairing an experienced judge to mentor, offer counsel and suggest practical solutions to problems, with a new judge who has transitioned from the bar to the bench. In 2009, the Supreme Court inaugurated the Peer Judge Mentor Program. Patterned, in large part, after the New Judge Mentor Program, this new program was first conceived and implemented as a component of the Court's 2008 Judicial Performance and Accountability Strategies. The Peer Judge Mentor Program formalizes and strengthens practices in which a seasoned jurist provides mentoring and models problem-solving strategies to aid a judicial colleague in resolving issues that might otherwise interfere with judicial performance. Once the Court's Judicial Mentor Committee and our Administrative Office complete the design of the peer mentor certification curriculum, presiding appellate court judges and chief circuit judges will have at their disposal a cadre of experienced judges whose work as peer mentors will aid in heightening the public's confidence in our judiciary.

In 2009, the Supreme Court fostered initiatives for expanding our successful continuing judicial education programs. Continuing education offers the best means by which to ensure that Illinois' judiciary has highly trained and well informed jurists, thereby enhancing our collective capacity to provide fair and accessible justice for all. The 2009 Advanced Judicial Academy, our fifth series of this biennial event, was held in June and offered a week long program entitled "Judicial Decision Making in a Democratic Society." This intensive conference offered presentations, critical analysis, and discussion concerning internal and external factors that impact judicial decision making. More than 70 Illinois judges participated in the Academy which was jointly planned and presented by the Illinois Judicial Conference Committee on

Education and the Administrative Office.

Although a core component of the Court's Comprehensive Judicial Education Plan, the Academy is but one of several education programs made available to Illinois judges through our judicial education division annually. The Court's Plan mandates all Illinois judges to biennially complete 30 hours of continuing judicial education. Those requirements may be satisfied through attendance at the week-long biennial Education Conference. In 2009, planning for the design and delivery of Education Conference 2010 was completed, again through the joint efforts of our Administrative Office and the Committee on Education. "Ed Con 2010" will be presented in two sessions, one in February and the other in April 2010, with programming designed to address substantive law as well as the practical aspects of judging. Also under the auspices of the Supreme Court, the Appellate Court Administrative Committee, in coordination with the Administrative Office, presented the 2009 Appellate Court Conference entitled, "The Founders and Their Constitution." Presented to the members of Illinois' first tier reviewing court, this full day training seminar was delivered by the George Mason University Law and Economics Center, a nationally recognized public institution that has provided education programs to judges since 1976.

Annually, the federal government makes available funding to every state's highest court in the form of Court Improvement Grants for the purpose of providing programming to improve outcomes for children who are the subjects of abuse and neglect. Illinois' grant is administered by our Administrative Office. In 2009, a portion of the grant was utilized to fund a series of regional trainings to ensure best practices for attorneys who serve as prosecutors, public defenders, and children and family representatives in child abuse and neglect cases. Future grant funding is anticipated to enable the provision of appropriate training to other stakeholders who practice and deliver services in this arena.

The Supreme Court of Illinois has original and exclusive jurisdiction to regulate the practice of law in Illinois. Last year, in 2008, I and my colleagues administered the oath of office to more than 3,360 new Illinois lawyers. While there was a slight decrease in that number in 2009, we administered the oath of office to 3,140 new attorneys, bringing



the total number of licensed Illinois attorneys to just over 85,000.

Of vital importance in the Court's oversight of the legal profession are clear rules by which legal practitioners may conform their conduct. The Illinois Rules of Professional Conduct serve that purpose. Derived from the American Bar Association's Model Rules, and adopted by the Court in January 2009, the preamble to the new Rules provide a clear statement of our expectations of Illinois attorneys. "The practice of law is a public trust. Lawyers are the trustees of the system by which citizens resolve disputes among themselves, punish and deter crime, and determine their relative rights and responsibilities toward each other and their government. Lawyers therefore are responsible ... for maintaining confidence in the system of justice by acting competently and with loyalty to the best interest of their clients; by working to improve that system to meet the challenges of a rapidly changing society; and by defending the integrity of the judicial system against those who would corrupt, abuse or defraud it."

The Court approved the new Rules of Professional Conduct after an extensive process that included thousands of hours of work by judges, lawyers and legal ethics scholars, including Supreme Court committees coordinating with the Illinois State Bar Association and the Chicago Bar Association. With their adoption, the rules governing the legal profession in Illinois recognize the evolving practice of law to a more global emphasis, compounded by the growing complexity in, not only the practice of law, but in our culture and our world. These new rules provide Illinois attorneys with an ethical framework for 21st century national and international practice standards.

In keeping with the Court's desire to create greater public access and understanding of the judicial branch, the Court and the Administrative Office work continuously to make court information more accessible and user-friendly to a wider and more diverse public audience. The Supreme Court's website now contains a judicial events link that provides the entirety of the Court's special events which can be viewed by the public. In August 2009, the Court added a Twitter account to its website to expand access to court information. Twitter, a high volume social network site, offers users an alternative to e-mail and provides

automated e-mail messages to subscribers notifying of new information posted to the Court's website. Court news is now "tweeted" on a regular basis by the Administrative Office to over 600 court Twitter account subscribers. To provide further access to court matters, audio recordings of all oral arguments in the Illinois Appellate Court became available on the Court's website in November 2009. The Supreme Court has been posting both video and audio recordings of its oral arguments since January 2008.

Twenty-six days after the devastating September 11, 2001 attacks on our nation, the United States launched Operation Enduring Freedom as the first phase of our war on terrorism that continues today in both Afghanistan and Iraq. The ensuing struggle to preserve our nation's freedom, democracy and way of life is primarily borne by our citizens who serve in our military. The toll of combat is not simply the sum of physical casualties and death of any nation's sons and daughters in a war zone. Many veterans, not limited to those who have so bravely served in Afghanistan or Iraq, but also this nation's earlier conflicts, return from war only to battle other difficulties, whether it be post-traumatic stress disorder, alcoholism, or family conflicts. These burdens often bring veterans into our justice system.

In 2007, through the assistance of the Illinois Department of Veterans' Affairs, the Illinois State Bar Association and The John Marshall Law School, the Court coordinated a joint initiative to support Illinois veterans in obtaining legal services and assistance with disability and educational benefits. Since that time, this effort has flourished and has resulted in the recruitment, training, and match of lawyers with veterans to provide legal advice and services, on a pro bono basis. The Veterans Legal Support Center and Clinic at the John Marshall Law School is now approaching its third anniversary and lists over sixty (60) attorneys who have accepted pro bono cases from the clinic to aid our veterans. In November 2009, it was my pleasure to serve as a panelist at the Clinic's annual conference to focus on veterans and the courts. Entitled Checkpoints and Roadblocks: The Intersection of Veterans and the Law, the conference provided a rich array of learning opportunities for those who seek to provide legal assistance to our veterans.

Notably, there are a growing number of Veterans Courts being developed in Illinois trial courts as a new approach in the criminal justice system. Such specialty Veterans Courts, designed for veterans who have broken the law, are modeled after drug courts which allow defendants to avoid county jails or state prisons by agreeing to specialized community-based treatment and monitoring, usually provided with the assistance of the court's probation staff. While these courts are relatively new, both in Illinois and nationally, their effectiveness will be tracked as they seek to help stabilize those veterans who struggle in civilian life.

The year two-thousand and nine marked the 200th anniversary of the nation's 16th president and Illinois' native son, Abraham Lincoln. President Lincoln's legacy of principled and visionary leadership during the time of this nation's greatest internal crisis, the American Civil War, and his preservation of the Union, continue to offer endless opportunities from which all may learn. Fondly recalled as the "country lawyer from Illinois," and renowned for his staunch advocacy on behalf of the common man, President Lincoln continues to prevail as the most prominent architect of Illinois' legal landscape. In January, I was privileged to convene a special session of our Supreme Court to honor the accomplishments of Abraham Lincoln during the 200th anniversary year of his birth. The Court proudly and humbly received a specially rendered bust of Lincoln presented by the Illinois State Bar Association. The bust, created by internationally recognized Lincoln sculptor John McClarey, is entitled "Prairie Lawyer, Master of Us All" and now graces the marbled corridors of our Supreme Court building in Springfield, Illinois. I invite all who visit or live in Springfield to visit the Court and to view this treasure, the newest among many historical artifacts housed inside the courthouse.

In the spring of 2009, the Court paused to mourn the loss and to pay tribute to two of its most esteemed justices who have now passed away, the Honorable Justice Howard C. Ryan and the Honorable Justice Joseph F. Cunningham. Both Justice Ryan and Justice Cunningham left an indelible mark on the Supreme Court and enduring legacies for the citizens they ably served. Justice Ryan served on the Supreme Court for 20 years, from 1970 to 1990, sitting as the Court's chief justice from 1982 to 1985. Justice Cunningham was twice appointed to serve on the Court, first, from 1987 to 1988 and, again, from 1991 to 1992.

Justice Cunningham's service to the judiciary is further distinguished by his appointment by the Court to serve as the Director of the Administrative Office from 1990 to 1991. Most assuredly, both Mr. Justice Ryan and Mr. Justice Cunningham will be remembered for their great passion for the law which is reflected and forever memorialized in the learned opinions which recite as the author, their names. Better yet, they will be revered for their depth of character and compassion for the citizens they served. We continue to honor them and, here on these pages, now further memorialize our great admiration and gratitude for their service.

In closing, I would like to note the crucial work of the Administrative Office which, pursuant to Article VI of the Illinois Constitution, serves as the administrative arm of the Supreme Court. Headed by the Supreme Court's Administrative Director, Cynthia Y. Cobbs, and under her leadership, the Administrative Office provides organizational, administrative and technical support to all three levels of Illinois' courts and serves as liaison to the Supreme Court's various committees. Administrative Director and staff work with the Chief Justice and the Court to prepare, present and follow-up on the policy matters affecting the judiciary, including fiscal and program matters, rules, and topics related to the other branches of state government and to entities which are involved in, or have an interest in the administration of the judicial branch. Detailed descriptions of the responsibilities and programs of each of the divisions of the Administrative Office are contained later in this publication.

I invite your review of the **2009 Annual Report** detailing the accomplishments of the Illinois Judicial Branch and the Administrative Office. I congratulate and thank all who were involved in our continuing efforts to ensure that Illinois justice remains of the highest quality.

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Thomas R. Fitzgerald
Chief Justice



## 2009 ANNUAL REPORT TO THE NINETY-SIXTH ILLINOIS GENERAL ASSEMBLY

January 29, 2010

Honorable Michael J. Madigan Speaker of the House House of Representatives Springfield, IL 62706

Honorable Tom Cross Republican Leader House of Representatives Springfield, IL 62706

Honorable John J. Cullerton President of the Senate State Senate Springfield, IL 62706

Honorable Christine Radogno Republican Leader State Senate Springfield, IL 62706

Dear Messrs. Madigan, Cullerton, Cross, and Ms. Radogno:

Attached is the 2009 Annual Report on behalf of the Illinois Supreme Court. I submit this Report to the General Assembly pursuant to Article VI. Section 17 of the Illinois Constitution of 1970, which requires the Supreme Court to report annually in writing to the General Assembly regarding the annual Judicial Conference. The Judicial Conference considers the work of the courts and suggests improvements in the administration of justice. In compliance with the constitutional mandate, this Report includes a summary of the work performed by the seven committees constituting the Judicial Conference.

The Committees of the Judicial Conference include: (1) Alternative Dispute Resolution; (2) Automation and Technology; (3) Criminal Law and Probation Administration; (4) Discovery Procedures; (5) Judicial Education; (6) Study Committee on Complex Litigation; and (7) Study Committee on Juvenile Justice. The annual meeting of the Judicial Conference was convened on October 22, 2009, to consider the aforementioned committees' reports and recommendations. Those reports detailed initiatives undertaken during Conference Year 2009. This Annual Report summarizes those initiatives, which also foretell of the projects and goals anticipated being undertaken by the Conference committees in 2010.

With the submission of this report to the General Assembly, the Supreme Court renews its commitment to the effective administration of justice and the management of the courts, to the careful stewardship of those resources provided for the operation of the courts, and to the development of plans and goals designed to assure that the Illinois judicial branch provides justice to our citizens and upholds the rule of law.

On behalf of the Court, I respectfully submit the Supreme Court's 2009 Annual Report to the General Assembly.

Sincerely,

Thomas R. Fitzgerald

Supreme Court of Illinois

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Chief Justice

The work of the Judicial Conference is ongoing throughout the year, largely through the efforts of seven appointed committees: Alternative Dispute Resolution Coordinating Committee; Automation and Technology Committee: Study Committee on Complex Litigation; Committee on Education; Committee on Criminal Law and Probation Administration; Committee on Discovery Procedures; and the Study Committee on Juvenile Justice. The membership rosters of the committees include appellate, circuit and associate judges who serve as full members of the Judicial Conference. Their work is aided by law professors, attorneys and some additional judges, all appointed by the Supreme Court to serve as either associate members or advisors to the committees. Senior level staff of the Administrative Office of the Illinois Courts serve as liaisons to support the work of the committees.

Supreme Court Rule 41 also authorizes the Executive Committee of the Illinois Judicial Conference. The Executive Committee acts on behalf of the Conference when the Conference is not in session. Membership of the Executive Committee consists of fourteen judges, six of whom are from the First Judicial District (Cook County) and two members each from judicial districts two, three, four and five. In addition to previewing the written reports of the conference committees, the Executive Committee also prepares and submits an agenda for the Annual Meeting for the Supreme Court's approval.

The one-day format of the 2009 Annual Meeting, consistent in length of the Annual Meetings since Conference Year 2004, minimizes judicial time away from the bench and effectively manages costs while its format promotes an efficient and thorough review of each committee's work. The meeting was convened by Chief Justice Thomas R. Fitzgerald. In his opening remarks, the Chief Justice welcomed Conference members and thanked them for the commitment of their time and talents during the Conference year. He then

acknowledged the presence of current members of the Supreme Court as well as retired Supreme Court Justice Benjamin Miller, who had also served as Chief Justice during his tenure on the Supreme Court. In concluding his introductions, Chief Justice Fitzgerald recognized Cynthia Y. Cobbs, Director of the Administrative Office of the Illinois Courts, and thanked the Director and her staff for their outstanding work in coordinating the work of the committees for the annual meeting of the Conference.

Chief Justice Fitzgerald recalled for the Conference members his comments at the 2008 Annual Meeting when he spoke of judicial independence as a fundamental principle that is a foundation to implementing improvements in the administration of justice. The Chief Justice noted that the constitutional mandate to the Court to provide for an Annual Judicial Conference to improve the administration of justice is a most serious directive. To meet this directive requires a scholarly examination of our legal system. To that end, the work of the Conference requires that each committee engage in comprehensive study, research and discussion of their charges and projects, as assigned by the Supreme Court, before proposing strategies to improve the administration of justice. This scholarly process is engaged in to make our state's judiciary better equipped to reach the correct result in every case.

Chief Justice Fitzgerald next provided an oral synopsis of the reports submitted by the Conference Committees. In summarizing the 2009 reports, the Chief Justice emphasized that the committees' work was marked by serious study. Each committee committed its energies to examination of issues and procedures, including analysis of sister jurisdictions' procedures and/or the management of similar issues in our nation's federal courts. The sum total of the work of the committees is a better judiciary.

In closing, Chief Justice Fitzgerald quoted United States Supreme Court Justice Anthony Kennedy who said that "[t]he law makes a promise – neutrality. If the promise gets broken, the law as we know it ceases to exist." With that, the Chief Justice reminded all conference members of the Supreme Court's commitment to ensure that our system of justice is marked by competence, professionalism, civility and a culture of morality within the legal profession. These values will ensure that the neutrality of the judiciary is not cast into doubt.

The Annual Meeting continued with Conference committee meetings devoted to finalizing committee reports and initiating planning for Conference Year 2010. The afternoon plenary session included a presentation from each of the committees' summarizing their activities in Conference Year 2009 and offering initial suggestions for tasks in Conference Year 2010. The following summarizes the written and oral substance of these reports.



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Annual Report to the General Assembly

# Annual Report to the General Assembly

## Alternative Dispute Resolution Coordinating Committee

The Alternative Dispute Resolution Coordinating Committee monitors and assesses both the Courtannexed mandatory arbitration programs and mediation programs approved by the Supreme Court. During the course of this Conference year, in coordination with the Administrative Office of the Illinois Courts, the Committee continued to track mandatory arbitration statistics to determine program efficacy.

The Committee also undertook many initiatives prescribed by the Court during Conference Year 2009. Some of those projects included (1) development of a training curriculum for new arbitrators, (2) reconsideration of a proposal to amend Supreme Court Rule 91 (Absence of a Party at Hearing), (3) consideration of an increase to arbitration program jurisdictional dollar limits and its impact, (4) development of an arbitration program participant satisfaction survey, (5) creation of a form for arbitrators to waive compensation and accept pro bono legal service credit in its stead, (6) consideration of arbitrator chair qualifications, and (7) examination of the reliability and applicability of a settlement data initiative. The Committee also met with arbitration administrators and supervising judges of circuits with mandatory arbitration programs to discuss program operations and identify areas for improvement.

## Automation and Technology Committee

In Conference Year 2009, the Automation and Technology Committee completed review of its previously developed Disaster Recovery Guide, examining in particular alternatives to continue critical court functions during a disaster and the time sensitive aspects of criminal proceedings. The Committee concluded that the relationship between the criminal court and the sheriff should be considered when planning for a disaster. As the level and scope of a disaster increases, there is a corresponding need for increased coordination with county officials and emergency management personnel, all of whom make key decisions regarding the well-being of those incarcerated.

Beyond consideration for the life and health of prisoners, attention should be focused on the constitutional and statutory rights of individuals arrested during the occurrence of the disaster. Specifically, disaster plans should include documentation on how to contact court staff during a disaster, including the state's attorney, public defender, circuit court clerk, court reporters, and possibly interpreters, as arrangements are made for hearings. Additionally, speedy trial considerations may need to be addressed for certain categories of disasters which render it impossible to seat a jury. The Committee's additional observations may prove useful to Illinois' circuit courts in meeting the Supreme Court's directive to develop circuit specific emergency preparedness plans.

The Committee also conducted a conceptual analysis of the benefits of a secure website for use in the trial courts. The benefits of a secure website would include a common forum for trial court judges to collaborate, exchange ideas and information with judges across the state using secure list serves and document sharing capabilities, have already been initiated by the Administrative Office.

## Study Committee on Complex Litigation

The Study Committee on Complex Litigation embarked on the creation of a Fourth Edition of the Manual on Complex Civil Litigation. This endeavor, the most comprehensive of the projects identified in the Committee's charge for Conference Year 2009, comprised the larger share of the Committee's work for this year as the members focused on planning, organizing and drafting of the next edition of the Manual. Subject matter to be covered in the fourth edition will include case law on construction cases.

With respect to projects and priorities carried over from Conference Year 2008, the Committee was requested to review the Criminal Law and Procedure Benchbook developed by the Judicial Conference Committee on Education and consider appropriate revisions to the Manual on Complex Criminal Litigation. The Committee anticipates that the Criminal Law and Procedure Benchbook will be completed and available for such review in Conference Year 2010.

## Committee on Criminal Law and Probation Administration

The Committee on Criminal Law and Probation Administration continued its consideration of the utility of a criminal dispute resolution program in Illinois. In its consideration, the Committee examined programs from other states, reviewed treatises and articles on the issue, and heard presentations from persons involved in existing Illinois dispute resolution programs. Upon conclusion, the Committee reaffirmed its previous position that potential benefits exist for the use of a written guilty plea as a component of such an initiative. However, given admonishments required pursuant to Supreme Rules 402 and 402A, a statewide mandate is not necessary.

With the principles of evidence-based practices as

the back-drop, the Committee examined two offender programs for their efficacy and potential implementation. First, the concept of diversion programs for offenders convicted of certain class 3 or class 4 felonies was considered. The Committee concluded that diversion programs, and the resources needed for their implementation, could potentially conflict with principles of evidence-based practices. Secondly, the Committee examined the use of a "shock incarceration" program for certain offenders as component of the terms and conditions of probation. After examining similar programs in other states, as well as reviewing written materials on this issue, the Committee concluded that "shock incarceration" programs are in direct conflict with principles of evidence-based practices.

In People v. Boose, 66 III. 2d 261 (1977), the Supreme Court set forth factors to be considered by the trial court in determining the need to physically restrain a criminal defendant during the course of trial. The Committee reviewed the final draft of a proposed rule which would codify the holding in Boose to determine if the proposed rule was substantively complete. The Committee determined that the final draft was complete and addressed any possible due process issues.

The Committee also reviewed a proposed rule submitted by the Supreme Court Rules Committee governing the disclosure of privileged communication. The proposed rule would authorize an attorney who is reasonably certain a person convicted of a crime is innocent because of facts disclosed to the lawyer in a privileged communication to disclose this information to the proper authorities. The Committee concluded that the draft rule would potentially violate a defendant's Fifth Amendment right against self-incrimination.

Since Conference Year 2005, the Committee has continued its work in monitoring the impact of the United States Supreme Court decision of *Crawford v. Washington*, 541 U.S. 36, (2004) on state court proceedings. During this time, reviewing courts in Illinois, and other jurisdictions, have addressed the various issues left unaddressed by *Crawford*. Thus, the Committee offers that its continued monitoring of the impact of *Crawford* is no longer necessary.

## Committee on Discovery Procedures

With the continuing expansion in the application of digital technologies, proper management of discovery of electronically stored information is an issue confronting both the federal and state courts. Although "e-discovery" is commonly understood to mean the discovery of electronically stored information, "e-discovery" is an evolving field that extends beyond mere technology and gives rise to multiple legal, constitutional, security and privacy issues. A major component of the work of

the Committee on Discovery Procedures in Conference Year 2009 was a review of scope and substance of "e-discovery." The product of the Committee's study was a comprehensive report earlier submitted to the Court with the suggestion that guidelines be developed and that certain existing Supreme Court Rules be amended, which would govern the management of "e-discovery" in Illinois courts.

The Committee additionally focused on several rules which govern discovery procedures in the trial courts. A proposed amendment to Supreme Court Rule 212(a) (5) (Purposes for Which Discovery Depositions May Be Used) was offered to provide the trial court discretion to permit the use of a party's discovery deposition at trial. The Committee's proposed amendment arose following an appellate court decision affirming the trial court's bar of the use of plaintiff's discovery deposition at trial even though plaintiff died before his evidence deposition could be taken and lengthy delays were caused by defendants.

Also reviewed by the Committee was a proposal to amend Supreme Court Rule 206(h) (Remote Electronic Means Depositions) to permit electronic depositions on notice without leave of court. The Committee reasoned that current practice has been the acceptance of remote electronic depositions such that there is no need to require a party to obtain a court order. Other matters which were considered and rejected by the Committee during the Conference year included: (1) whether to define work product and privilege for purposes of objecting to discovery under Supreme Court Rule 201(b) (2) (Scope of Discovery); (2) whether general objections to interrogatories/requests to produce should be prohibited; and (3) the feasibility of contention discovery as recognized under the federal rules.

Several projects remain under discussion and are anticipated to inform the work of the Committee in the next Conference year. Included among them are: (1) whether Supreme Court Rule 210 (Depositions on Written Questions) and Supreme Court Rule 204(c) (Depositions of Physicians) can be used in conjunction to permit the formulation of questions addressed to nonparty physicians prior to deciding whether to take their depositions; (2) whether business records obtained during discovery should be presumptively admissible without requiring foundation testimony; and (3) whether the disclosures required under Rule 213(f) should include a list of any other case in which the witness has testified as an expert within the preceding four years and whether a party should be required to provide copies of all correspondence or communications between counsel and the expert.

## Committee on Education

The Committee on Education is charged with identifying ongoing educational needs for the Illinois judiciary and developing short-term and long-term plans to address those needs. For Conference Year 2009, the Committee received a continuing charge to identify emerging legal, sociological, cultural, and technical issues that may impact decision-making and court administration and, based on these emerging issues, to recommend and develop programs for both new and experienced jurists. Additionally, the Committee is charged with examining and recommending judicial education programs offered by organizations and entities other than the Supreme Court, as potential sources for continuing judicial education.

Under this broad umbrella of judicial education and training, the Committee, in collaboration and coordination with the Administrative Office of the Illinois Courts, continued to research and recommend topics and faculty for the annual New Judge Seminar, the multiple training events which are contained in the annual Seminar Series, and the biennial Education Conference and Advanced Judicial Academy. During the Conference year, almost 450 Illinois judges participated in training events conducted at various locations throughout the State.

The New Judge Seminar conducted in January, 2009 provided an intensive week-long introduction to the fifty-eight (58) newest members to the Illinois bench. The Supreme Court approved 2008-2009 Seminar Series, which was comprised of six "mini" (one-day) and regional (two-day training) seminars, were presented to an audience of over 300 judges. An annual DUI Seminar was included in this training menu and provided Illinois jurists with a timely overview of legislative modifications to the management of the repeat, chronic DUI offender.

A pillar of the Supreme Court's judicial training curriculum is the Advanced Judicial Academy. The 2009 Academy, similar to the four previous Academies, was a week-long residential seminar, held in June hosted by the University of Illinois Law School. The theme of the 2009 event, "Judicial Decision-Making in a Democratic Society", was attended, and exceptionally well received, by seventy-eight (78) Illinois judges with representation from nearly all of Illinois circuit courts.

Education Conference serves as the centerpiece of the Supreme Court's Comprehensive Judicial Education Plan for Illinois Judges. Work of the Committee in planning for this major biennial event that is attended by all of Illinois judges, continued in Conference Year 2009. The Committee, through its multiple work groups, researched and designed the proposed multiple elective workshops and the required core judicial

ethics and conduct sessions to be presented during Education Conference 2010. The schedule and format for the 30-hour Education Conference, along with recommendations of over one-hundred (100) Illinois judges to serve as instructors for their peers, were submitted for the Supreme Court's review and approval in Conference Year 2009.

Faculty development remains an essential component of judicial education in Illinois. During the Conference year, a faculty development workshop and PowerPoint training were offered to all new judicial faculty to enhance their teaching skills and provide support to the Illinois judges who volunteer to teach their colleagues at Education Conference and other Supreme Court approved seminars.

Finally, the Committee continued planning for the 2009-2010 Seminar Series as well as its considerable work in drafting and updating the Illinois Judicial Benchbooks. Currently, over 2,700 paper and CD-ROM copies have been distributed. Benchbook updates and supplements were being distributed as the Annual Meeting of the Conference was being conducted.

## Study Committee on Juvenile Justice

The Committee on Juvenile Justice updated Volume I of the *Illinois Juvenile Law Benchbook*, which addresses proceedings brought in juvenile court involving delinquency, addicted minors, minors requiring authoritative intervention and truant minors in need of supervision. The Committee reasonably anticipates that an update to Volume I will be available for the New Judge Seminar in December, 2009.

Further, the Committee continued its study of juvenile drug courts operating in Cook, Kane, Peoria and Will counties. The Committee discovered that each of the programs utilizes different criteria and collects limited statistics as to the program's effectiveness. In particular, the Committee noted that the apparent absence of analytical data on recidivism rates for those successfully completing the program. As a result, the Committee has given consideration as whether other states' standards data collection methods should be studied and implemented to gain insight and to ensure effectiveness of juvenile drug courts in Illinois.

Research of the availability and adequacy of mental health services for juveniles was continued by focusing on the Models for Change National Initiative, which promotes juvenile justice reform in several areas including mental health. The goal of the Initiative with respect to mental health for juveniles is that professionals in the fields of juvenile justice, child welfare, mental health, substance abuse and education would work collaboratively to meet the mental health needs of youth without unnecessary juvenile justice system involvement. The Committee

Finally, the Committee discussed the applicability of the best interests of the minor standard and the superior rights standard in guardianship cases. In its discussion, the Committee monitored the status of Senate Bill 1430, which may resolve the issue of the standard appropriate in guardianship cases.

## Conclusion

As in prior years, the work undertaken by the Judicial Conference in 2009 covered a broad range of issues and topics, ranging from ensuring the continuity of court operations during times of disaster to the education and training of judges. Although many projects and initiatives were completed in Conference Year 2009, some are anticipated to continue into Conference Year 2010, with additional projects to be added. Thus, the work of the Judicial Conference is ongoing. However, the work of the 2009 Judicial Conference has met its constitutional mandate to make suggestions to the Supreme Court to improve the administration of justice in Illinois.

## Supreme Court Decisions Which the General Assembly May Wish to Consider

## Compulsory Retirement of Judges Act - Constitutionality

In Maddux et al. v. Blagojevich et al., S. Ct. Docket No. 107416 (June 18, 2009) the plaintiffs, a circuit court judge and five voters eligible to vote in judicial elections, sought a declaration from the Circuit Court of Cook County that the Compulsory Retirement of Judges Act (705 ILCS 55/1 et seq. (West 2006), which provides that a judge is automatically retired at the expiration of the term in which the judge attains the age of 75, is unconstitutional. Article VI, Section 15(a) of the Illinois Constitution states that the General Assembly "may provide by law for the retirement of Judges and Associate Judges at a prescribed age." III. Const. 1970, art.VI, §15(a). The Court concluded that the statute violated equal protection since, under the current language, mandatory retirement would exist for some, but not all, judges because there would exist a class of judges who would be immune from the mandatory retirement envisioned under section 15(a) of the Act. As such, the Court determined that the Act as written is unconstitutional.

## Federal Copyright Act - Preemption of State Statute

In People v. Williams, S. Ct. Docket No. 105453 (November 19, 2009), the Supreme Court considered the State's appeal challenging the Illinois appellate court's ruling that section 16-7 of the Illinois Criminal Code of 1961 (720 ILCS 5/16-7, 16-8 (West 2004) was expressly preempted by section 301 of the federal Copyright Act of 1976 (17 U.S.C. §101 et seg. (2000). Section 16-7 is an antipiracy provision which provides that a person is guilty of unlawful use of recorded sounds or images when he intentionally offers for sale an audio or video recording without the consent of the owner. In its analysis, the Supreme Court noted that section 301 establishes a two-part test under which a state statute is preempted (1) if the works at issue are fixed in tangible form and come within the subject matter of copyright as defined by section 102 of the Act and (2) if the rights granted under state law are "equivalent" to any of those exclusive rights within the general scope of copyright that are provided by the Act. As to the first prong, the court concluded that the sound recordings that defendant offered for sale - and which were the subject of defendant's prosecution under section 16-7 - clearly fell within the subject matter of copyright, as section 102(a) (7) of the Act provides protection for "sound recordings." As to the second prong, the court determined that the elements of copyright infringement under the federal Act were equivalent to the elements of the crime of unlawful use of recorded sounds under section 16-7. Therefore, section 16-7 of the Criminal Code is expressly preempted by section 301 of the federal Copyright Act.



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## Annual Report to the General Assembly

## STATE AND LOCAL **FUNDING** FOR THE COURTS

linancing the state court system is a shared responsibility of the state and the 102 counties of the state. Revenue to provide court services to the people of the state comes from a variety of sources: the state income tax, county property taxes, case filing fees, court-imposed fines and assessments, and other fees.

State government pays for the salaries, benefits, and office expenses of supreme and appellate court judges, and salaries and benefits of circuit court judges. Effective July 1, 2009, judicial salaries, as determined by the legislature, were: Supreme Court justices, \$201,819; appellate court judges, \$189,949; circuit court judges, \$174,303; and associate judges, \$165,588. The state also pays for support staff of supreme and appellate court judges, staff in other units of the supreme and appellate courts, a small number of other personnel in the circuit courts, and mandatory arbitration staff in several counties. Part of the cost of operating the mandatory arbitration program is offset by fees paid by participants in the program. During Calendar Year 2009, the arbitration filing and rejection fees collected amounted to \$6,442,208.

State funding for probation departments currently covers approximately 2,900 probation personnel, for which the counties receive partial salary reimbursement on a monthly basis. At the present time, state funding provides for about 27% of the total cost of probation services in the state.

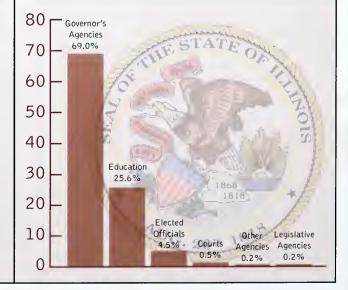
County governments pay part of the cost of financing circuit court operations. Counties provide office and courtroom space, maintenance, and support staff to assist the circuit court judges. Circuit clerks collect money to help pay for their operations and some court operations. They also collect and disburse revenues to help fund local and state government programs, as summarized on the next page.

## State Funding

## Appropriations for State Agencies Fiscal Year 2010

The graph to the right, shows the Supreme Court's share of the total appropriations for Fiscal Year 2010 (July 1, 2009 to June 30, 2010). The total appropriation was \$57,603,467,000. The appropriation for the courts was \$301,791,000.

> Source: Table I-A: Appropriations by Agency, Chapter 2 Governor's Budget Message to the General Assembly for Fiscal Year 2011



Revenue to pay for these court-related services comes primarily from property taxes, filing fees, and court-ordered fines and costs. Fines, fees and other costs collected by circuit clerks are governed primarily by statute and Supreme Court rule.

## Revenue to Finance Local Improvements

Fees and court-ordered fines were collected in 2009 by circuit clerks and earmarked for improvements in the clerks' offices and to help defray the cost to the county of operating the courts at the local level.

### Court Document Storage Fund

is used for any costs relative to the storage of court records.

\$26,744,194

### **Court Automation Fund**

is used to establish and maintain automated systems for keeping court records.

\$27,904,446

## **County Law Library Fund**

helps defray the costs of maintaining a law library in the county for judges, attorneys, and the public.

\$8,991,328

County Fund To Finance the Court System

is available from fees collected by circuit clerks to help finance the court system in the county.

\$6,647,246

Circuit Court Clerk Operations and Administrative Fund is used to offset costs incurred for collection and

disbursement of State and local funds.

\$2,256,964

## **Uncollected Claims**

The Administrative Office, the Supreme Court Clerk, the Supreme Court Library, and the Clerks of the five Appellate Districts are responsible for collecting certain fees. Outstanding accounts receivable are normally collected by the unit to which the account is owed. Additionally, a small number of accounts receivable are turned over to private collection agencies and the State Comptroller's offset system. At the end of FY09, there were 135 claims due and payable, totaling \$610,762.96.

## Revenue to Finance Other Programs

In addition to collecting fees for local improvements, circuit clerks receive, account for, and distribute millions of dollars to county governments, various local governmental entities, and various state funds. Some of the programs and dollars collected in 2009 by circuit clerks are listed below:

**Child Support and Maintenance:** Court ordered payments collected and distributed by Circuit Clerks and the State Disbursement Unit.

\$1,048,705,123

**Drug Treatment Fund:** Court ordered drug assessments are used to pay for treatment programs for people addicted to alcohol, cannabis, or controlled substances.

\$3,866,545

**Violent Crime Victims Assistance:** Court ordered penalties in criminal and certain traffic cases are used to support victim and witness assistance centers throughout the state.

\$6,296,961

**Trauma Center Fund:** Fees collected in certain traffic, DUI, and criminal cases are used to support Illinois hospitals that are designated as trauma centers.

\$4,510,735

**Traffic and Criminal Conviction Surcharge:** An additional penalty imposed in traffic and criminal cases is used for training of law enforcement and correctional officers.

\$6,205,407

**Drivers Education Fund:** Penalties and forfeitures in offenses reportable to the Secretary of State are used for driver education programs in high schools.

\$2,354,902



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## CASEFLOW

llinois has had a unified court system since 1964. In that year, voters approved an amendment to the 1870 constitution which made major changes in the system.

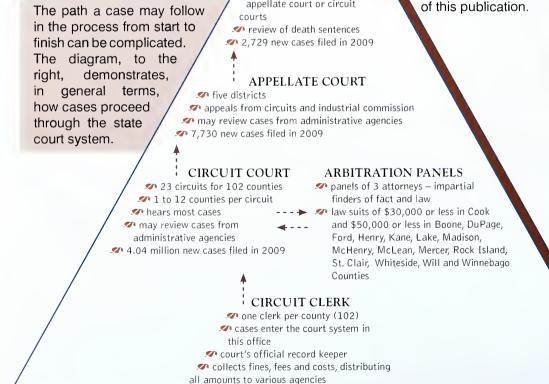
Prior to 1964, the court system was fragmented. The courts of original jurisdiction had some concurrent and overlapping jurisdiction, and each court operated independently of the others. The old system had a circuit court with statewide original jurisdiction in all cases and some appellate jurisdiction; a Superior Court of Cook County having concurrent jurisdiction with the Circuit Court of Cook County; the Criminal Court of Cook County also having concurrent jurisdiction with the Circuit Court of Cook County but limited to criminal cases; a county court in each county with special jurisdiction that partially overlapped that of the circuit court; a probate court in certain counties with special jurisdiction; statutory municipal, city, town and village courts, with jurisdiction overlapping that of the circuit court; and justice of the peace and police magistrate courts with limited jurisdiction.

By 1962, Cook County alone had 208 courts: circuit court, superior court, family court, criminal court, probate court, county court, twenty-four city, village, town and municipal courts,

police magistrate courts. In addition, there were seven Supreme Court districts numbered from south to north and four appellate court districts numbered from north to south. For example, the first Supreme Court district was in a part of the fourth appellate court district and the seventh Supreme Court district was in a part of the first appellate court district. In today's system, as shown below, there are three levels of courts: circuit, appellate, and supreme, all operating within clearly defined geographical boundaries. The circuit court is a court of original jurisdiction which is divided into twenty-three circuits. Each circuit is located in one of five appellate court districts. Cases enter the circuit court via the circuit clerk's office in a county of the circuit. Cases may be appealed to the appellate court in the district containing the circuit court, or, in certain circumstances, directly to the Supreme Court. After an appellate court decision, parties to the case may seek discretionary review by the Supreme Court. Supreme SUPREME and appellate district and circuit maps

are found in their respective sections

seventy-five justice of the peace courts, and 103



COURT

🗫 certain cases from appellate court or circuit

## JUDICIAL BRANCH ADMINISTRATION

## Supreme Court

The Supreme Court of Illinois, in addition to being the state's highest court, is responsible for the state's unified trial court, one appellate court with five districts, and several supporting units. General administrative and supervisory authority over the court system is vested in the Supreme Court. Several advisory bodies assist with this mission by making recommendations to the court. These include the Judicial Conference of Illinois and the various committees of the court. More information about committees can be found in the following sections. The Supreme Court also makes appointments to other committees, commissions, and boards as listed at the right. The chief justice is responsible for exercising the court's general administrative and supervisory authority in accordance with the court's rules. The Supreme Court appoints an administrative director to assist the chief justice in his duties. The staff of the Administrative Office of the Illinois Courts supports this function. Key support personnel exist at each level of the court to assist judges with the administration of justice. At the Supreme Court level, this includes the clerk of the Supreme Court, research director, marshal, and Supreme Court librarian and their staffs. Each support unit is described on page eighteen.

## Appellate Court

At the appellate court level, the presiding judge and judges of each appellate district are assisted by a clerk of the appellate court and research director and their staffs appointed by the appellate judges. Appeals enter the clerk's office, where deputy clerks assign them filing schedules and actively monitor and review cases as they progress through record preparation, motions, briefing, and oral arguments. Problems such as late filings, jurisdictional defects, inadequate records or noncompliant briefs are referred to the court. After the court has heard an appeal, the clerk's office issues the court's decision and tracks all post-decision activity. The clerk's office also manages the court's computerized and manual recordkeeping systems and oversees the maintenance of physical facilities. The clerk responds to requests and questions concerning the court's cases and procedures. The research director oversees a staff of attorneys and secretaries providing centralized legal research services to judges.

## Circuit Court

Each circuit is administered by a chief judge who is selected by the circuit court judges of the circuit. The chief judge is assisted by an administrative assistant and/or trial court administrator and other support staff. The number of counties in each circuit currently ranges from one to twelve. In each county, voters elect a circuit clerk for a four-year term. Circuit clerks, with help from deputy clerks hired by the circuit clerk, attend sessions of the court, preserve court files and papers, maintain complete records of all cases, and maintain records of money received and disbursed.

### Judicial Inquiry Board

The Supreme Court appoints two circuit judges to the board, the governor also appoints four non-lawyers and three lawyers, which receives and investigates complaints against judges and prosecutes the validated complaint before the Illinois Courts Commission.

### Illinois Courts Commission

The commission consists of a Supreme Court justice, two circuit judges selected by the Supreme Court, two appellate court judges selected by the appellate court, and two citizen members selected by the governor. The commission hears complaints brought by the Judicial Inquiry Board and can discipline a judge or remove a judge from office.

### Board of Admissions to the Bar

The Supreme Court establishes rules and standards for the education, testing, and admission of law school graduates to the practice of law in the state and appoints seven attorneys to sit on the board. The board oversees the process of admitting law school graduates to the practice of law.

## Committee on Character and Fitness

The Supreme Court appoints attorneys to a committee in each of the five judicial districts to evaluate the moral character and general fitness of applicants to practice law.

## Attorney Registration and Disciplinary Commission

The Supreme Court establishes rules for the registration and discipline of attorneys and appoints four lawyers and three nonlawyers to the commission which oversees the registration and disciplinary process.

### State Appellate Defender

The Supreme Court appoints the State Appellate Defender and two members to the State Appellate Defender Commission. Each appellate court district appoints one member to the Commission and the governor appoints two members.

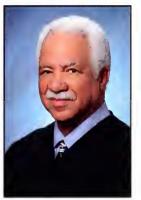
## Board of Trustees of the Judges Retirement System

The Supreme Court appoints three judges



## THE JUSTICES OF THE SUPREME COURT

The Supreme Court is the state's highest court; it also supervises and administers the state's judicial system. The state is divided into five judicial districts, with three justices elected from the first district (Cook County) and one justice elected from each of the other four districts. Justices are elected in partisan elections for ten years and may be retained in office for additional terms of ten years. A chief justice is elected by the other justices for a term of three years.



Charles E. Freeman

Justice Freeman received a Juris Doctor degree from The John Marshall Law School, Chicago. Early in his career he served as an Assistant Attorney General, Assistant State's Attorney, and an attorney for the Board of Election Commissioners. He served as a commissioner on the Illinois Commerce Commission from 1973 to 1976. He was in the private practice of law from 1962 to 1976. In 1976, he was elected a Circuit Judge in Cook County where he served for ten years. He was elected to the Appellate Court in 1986 and to the Illinois Supreme Court on November 6, 1990, as the first African-American to serve on the Court. On May 12, 1997, he was selected as Chief Justice and served in that capacity until January 1, 2000.



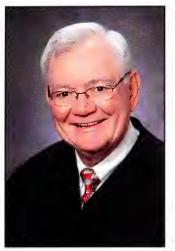
Thomas L. Kilbride

**Justice Kilbride** received his law degree from Antioch School of Law in Washington, D.C., in 1981. He practiced law for 20 years in Rock Island, engaging in the general practice of law, including appeals, environmental law, labor law, employment matters, and other general civil and criminal matters. He was admitted to practice in the United States District Court of Central Illinois and the United States Seventh Circuit Court of Appeals. Justice Kilbride was elected to the Supreme Court of Illinois for the Third District in 2000.



Robert R. Thomas

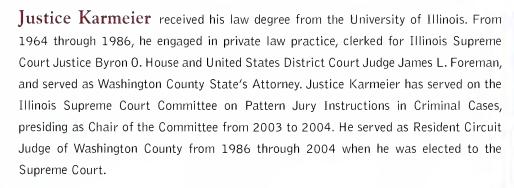
Justice Thomas was born on August 7,1952, in Rochester, NY. He received his B.A. degree in Government from the University of Notre Dame in 1974, and was named an Academic All-American in that same year. He received his J.D. degree from Loyola University School of Law in 1981. He was elected Circuit Court Judge in DuPage County in 1988. There, he presided over civil jury trials and was the Acting Chief Judge from 1989 to 1994. In 1994, Justice Thomas was elected to the Appellate Court Second District. On December 4, 2000, Justice Thomas was sworn in as the Illinois Supreme Court Justice for the Second District. In April 1996, Justice Thomas was inducted into the Academic All-American Hall of Fame, and in January 1999, he received the prestigious NCAA Silver Anniversary Award. Justice Thomas is a member of the DuPage County Bar Association. He was selected as Chief Justice during the 2005 September Term of the Supreme Court and served in that capacity until September 5, 2008.



Thomas R. Fitzgerald Chief Justice

Chief Justice Thomas R. Fitzgerald received his law degree from The John Marshall Law School, Chicago. He began his law career as a prosecutor in the Cook County State's Attorney's Office. When first elected to the bench in 1976, he was the youngest Cook County judge. In 1989, he was elevated to presiding judge of Cook County's criminal courts and was appointed to serve as the presiding judge of Illinois' first statewide Grand Jury. Justice Fitzgerald was elected to the Supreme Court of Illinois for the First District in 2000. He was selected as Chief Justice during the 2008 May Term of the Supreme Court and began serving his term on September 6, 2008.

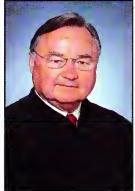
Justice Garman received a Juris Doctor degree from the University of Iowa College of Law in 1968. She was an Assistant State's Attorney in Vermilion County from 1969 to 1973. She then engaged in private practice with Sebat, Swanson, Banks, Lessen & Garman and was an Associate Judge for 12 years. Justice Garman was a Circuit Judge in the Fifth Judicial Circuit (1986-95) and Presiding Circuit Judge (1987-95). She was assigned to the Appellate Court, Fourth District, in July 1995, and was elected to the position in November 1996. Justice Garman was appointed to the Supreme Court on February 1, 2001 and subsequently elected to the Supreme Court on December 2, 2002.



Justice Burke was born on Feb. 3, 1944, in Chicago. She received her B.A. degree in education from DePaul University in 1976 and her J.D. degree from IIT/Chicago-Kent College of Law in 1983. She was admitted to the Federal Court, Northern District of Illinois, in 1983, the United States Court of Appeals for the 7th Circuit in 1985, and certified for the Trial Bar, Federal District Court in 1987. In August 1995, she was appointed to the Appellate Court, First District. In 1996, she was elected to the Appellate Court, First District, for a full term. Justice Burke, the third woman to sit on the state's highest tribunal, was appointed to the Illinois Supreme Court for the First District on July 6, 2006.



Rita B. Garman



Lloyd A. Karmeier



Anne M. Burke



## SUPREME COURT SUPPORT STAFF



here are several support units which assist the Supreme Court with its work as the state's highest court. These units are located in Springfield, Bloomington, and Chicago.

Clerk of the Supreme Court - Juleann Hornyak. The Clerk of the Supreme Court is appointed by the Court, reports to the Court and serves at the Court's pleasure. The Clerk is the Court's principal case processing and records manager who operates the office through a staff of specialized deputies, and by planning, developing, and implementing policies and procedures necessary to execute the responsibilities of the office. The office has existed since circa 1818 and supports the Court in the exercise of its statewide jurisdiction, authority to regulate the practice of law in Illinois, and supervisory authority over the courts in the state.

In its case management capacity, the Clerk's Office maintains four distinct automated dockets, executing all associated processes, to ensure compliance with Supreme Court Rules and to ensure that cases are effectively monitored and scheduled, from initiation to issuance of mandates and final orders as appropriate. The general docket unit of the office supports the Court's primary docket. The miscellaneous record consists primarily of attorney matters. The miscellaneous docket consists of conviction-related cases filed by *pro se* incarcerated litigants and provides a forum without compromising standard filing requirements. The proposed rule docket was developed and functions consistent with the mandate of Supreme Court Rule 3.

In its record management capacity, the Clerk's Office maintains the Court's active and closed files and permanent records, dating to 1818, including historically significant documents which are housed and preserved in the State Archives by agreement, and operates a micrographics unit which commits paper documents to a more stable medium.

The Clerk's Office maintains the roll of attorneys, which includes the licensing process, and the currency of the capital litigation trial bar rosters; registers and renews professional service corporations and associations, and limited liability companies and partnerships engaged in the practice of law; files judicial financial disclosure statements required of state court judges. The office compiles, analyzes, and reports statistics on the Supreme Court's caseload and other activity, as reflected in the accompanying statistical summary and narrative for 2009. The Clerk's Office provides information to the public at large and the practicing bar and has working relationships with other courts and judicial branch offices, Supreme Court agencies, and state and county departments.

Marshal of the Supreme Court - Bob Shay. The marshal attends all sessions of the court held in September, November, January, March, and May. In addition, the marshal directs a staff which maintains the Supreme Court Building and grounds, provides security for justices and employees, and conducts tours of the building.

Reporter of Decisions - Brian Ervin. The reporter of decisions directs a staff which publishes opinions of the supreme and appellate courts in the Official Reports. Employees also verify case citations, compose head notes, attorney lines, tables of cases, topical summaries, and other materials appearing in the Official Reports; and edit opinions for style and grammar.

Supreme Court Librarian - Brenda Larison. The Supreme Court librarian directs a staff who provide legal reference services to the courts, state agencies, and citizens of the state. The Supreme Court libraries include a 100,000 volume public law library in Springfield, a 40,000 volume private branch library in Chicago, and four private judicial libraries across the state. The librarian oversees all aspects of library administration including budget and program planning, materials and equipment acquisition, cataloging and collection development, and library reference and research services.

Supreme Court Research Director - Doug Smith. The Supreme Court research director supervises a staff of attorneys who provide legal research and writing assistance to the court.

Supreme Court Chief Internal Auditor - John Bracco. The Supreme Court chief internal auditor and staff perform audits of the state-funded activities of the judicial branch. In addition, the internal auditor annually assesses the adequacy of internal controls for state-funded activities.

Supreme Court Caseload	Filed	Disposed
2009	2,729	2,897
2008	2,955	2,825
2007	2,836	2,962
2006	2,992	3,048
2005	2,994	3,217

## SUPREME COURT DIRECTORY

Springfield (62701) Supreme Court Building TDD (217) 524-8132 Clerk (217) 782-2035 Librarian (217) 782-2424 Marshal (217) 782-7821 Chicago (60601)
Michael A. Bilandic Building
160 North LaSalle Street
TDD (312) 793-6185
Clerk (312) 793-1332

Bloomington (61702) P.O. Box 3456 Reporter of Decisions (309) 827-8513 FAX (309) 828-4651

# Supreme Court

## SUPREME COURT COMMITTEES

## Standing committees of the Court and chairpersons during 2009

- Appellate Court Administrative Committee Justice Rita B. Garman, liaison officer.
- Attorney Registration & Disciplinary Commission
   Benedict Schwarz, II, Esq., Chair; Justice Lloyd A. Karmeier, liaison officer
   Review Board - John W. Rapp, Jr., Esq., Chair.
- Board of Admissions to the Bar Neil K. Quinn, Esq., President; Chief Justice Thomas R. Fitzgerald, liaison officer.
- Committee on Character and Fitness
  Jeffrey M. Cox, Esq., Chair; Jean M. Prendergast,
  Esq., Vice-Chair (First Judicial District); William
  F. Bochte, Esq., Chair; Robert G. Gibson, Esq.,
  Vice-Chair (Second Judicial District); Chair
  Vacant; William F. Smith, Esq., Vice-Chair (Third
  Judicial District); Edward H. Rawles, Esq., Chair
  (Fourth Judicial District); John T. Papa, Esq.,
  Chair; Dale F. Wolff, Esq., Vice-Chair (Fifth
  Judicial District); Justice Robert R. Thomas,
  liaison officer.
- Committee on Jury Instructions in Civil Cases
   Robert J. Napleton, Esq., Chair; Professor Nancy
   S. Marder, Reporter; Justice Thomas L. Kilbride, liaison officer.
- Committee on Jury Instructions in Criminal Cases
   Judge Bertina E. Lampkin, Chair; Patrick J. Cotter, Reporter; Professor John F. Erbes, Professor-Reporter; Chief Justice Thomas R. Fitzgerald, liaison officer.
- Committee on Professional Responsibility Steven F. Pflaum, Esq., Chair; Professor Vivien C. Gross, Professor-Reporter; Justice Anne M. Burke, liaison officer.
- Judicial Mentor Committee
   Judge S. Gene Schwarm, Status Member
   (Chairperson of Chief Judges' Conference);
   Judge Elizabeth A. Robb, Status Member (Vice-Chairperson of Chief Judges' Conference).
- Legislative Committee of the Illinois Supreme Court Appellate Judge Mary K. O'Brien, Chair.
- Minimum Continuing Legal Education Board
   Jack L. Brooks, Esq., Chair; Justice Lloyd A. Karmeier, liaison officer.

- Planning and Oversight Committee for a Judicial Performance Evaluation Program Appellate Judge Joy V. Cunningham, Chair; Justice Rita B. Garman, liaison officer.
- Special Supreme Court Committee on Capital Cases
   Judge Michael P. Toomin, Chair; Judge Christopher
   C. Starck, Vice-Chair; Chief Justice Thomas R.
   Fitzgerald, liaison officer; Vacant – Professor-Reporter.
- Special Supreme Court Committee on Child Custody Issues
   Judge Robert J. Anderson and Judge Moshe Jacobius, Co-Chairs; Chief Justice Thomas R.
   Fitzgerald and Justice Rita B. Garman, liaison officers.
- Supreme Court Committee on Judicial Conduct Appellate Judge Mary Jane Theis, Chair.
- Special Supreme Court Committee on Pro Bono Publico Legal Service Russell K. Scott, Esq., Chair; Justice Thomas L. Kilbride, liaison officer.
- Special Supreme Court Committee to Study Courtroom and Judicial Security Judge Clark E. Erickson, Chair.
- Special Supreme Court Committee to Study Supreme Court Rule 23.
   Appellate Judge Thomas R. Appleton and J. Timothy Eaton, Esq., Co-Chairs.
- Supreme Court Commission on Professionalism Gordon B. Nash, Jr., Chair.
- Supreme Court Committee on Illinois Evidence Judge Donald C. Hudson, Chair; Judge Warren D. Wolfson, Vice-Chair; Professor Ralph Ruebner, Professor-Reporter; Chief Justice Thomas R. Fitzgerald, liaison officer.
- Supreme Court Rules Committee
   John P. Nicoara, Esq., Chair; John B. Simon,
   Esq., Vice-Chair; Professor Keith H. Beyler,
   Esq., Reporter; Professor Jo Desha Lucas, Esq.,
   Emeritus; Justice Thomas L. Kilbride, liaison
   officer.



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## JUDICIAL CONFERENCE COMMITTEE ACTIVITIES

The Judicial Conference of Illinois, consisting of eighty-two judges, is responsible for suggesting improvements in the administration of justice in Illinois. The Executive Committee, composed of the chief justice and fourteen members of the Judicial Conference reviews recommendations of the various committees and makes recommendations to the Supreme Court, resolves questions of committee jurisdiction, acts on behalf of the Judicial Conference between annual meetings, and performs other duties delegated by the Supreme Court. The Administrative Office of the Illinois Courts serves as Secretary of the Conference.

Alternative Dispute Resolution Coordinating Committee

Judge Patricia Banks

Circuit Court of Cook County, Chair

The Alternative Dispute Resolution Coordinating Committee monitors and assesses both court-annexed mandatory arbitration programs and mediation programs approved by the Supreme Court. During the course of the Conference year, the Committee developed a training curriculum for new arbitrators. If approved, the curriculum would entail a recommended training document which would include a training outline for new arbitrators. The Committee also examined current collection methods for statistical data related to the arbitration program to determine if current data collected is accurately capturing the outcomes of the program. During Conference Year 2009, Committee activities also included reconsideration of a proposal to amend Supreme Court Rule 91 (Absence of a Party at Hearing); consideration of an increase to arbitration program jurisdictional dollar limits and its impact; development of an arbitration program participant satisfaction survey; preparation of proposed rule amendments and creation of a related form for arbitrators to waive compensation and accept pro bono legal service credit in its stead; consideration of arbitrator chair qualifications; and study of the reliability and applicability of a settlement data initiative.

Committee on Automation and Technology

Judge Kenneth A. Abraham 18th Circuit, Chair

In 2009, the Automation and Technology Committee completed its review of the Disaster Recovery Guide with regard to critical court functions, proposing language to be added to the Disaster Recovery Guide of 2006. The Committee's analysis focused on the need for an interdependent relationship between the Criminal Court and the Sheriff during a disaster. As the level of the disaster increases, this dependency increases as does that with county officials and emergency management personnel who all make key decisions regarding the well-being of those incarcerated. After considering the life and health of prisoners, the focus should be turned upon the Constitution and statutory rights of those previously incarcerated as well as those arrested during a disaster. Plans should include the ability to contact court staff, including the State's Attorney, Public Defender, circuit clerk, court reporters, and possibly interpreters, as arrangements are made for hearings. In addition to contacting court staff, a temporary facility needs to be identified to conduct hearings. Consideration should be given to its security capabilities, the transportation of prisoners, and the ability to access court records.

The Committee also analyzed the potential features of a secure website for use throughout the judiciary, documenting benefits, potential uses, and recommends such a technology as an efficient and effective alternative to communication and collaboration.

Study Committee on Juvenile Justice Judge John R. McClean, Jr. 14th Circuit, Chair

During the 2009 Conference Year, the Committee updated Volume I of the Illinois Juvenile Law Benchbook, which addresses proceedings brought in juvenile court that involve allegations of delinquency, addicted minors, minors requiring authoritative intervention (MRAI) and truant minors in need of supervision. The Committee also continued its study of the juvenile drug courts in Cook, Kane, Peoria and Will counties. The Committee discovered that each of the programs utilizes different criteria and collects limited statistics as to the program's effectiveness. In particular, the Committee noted that there appears to be no analytical data, such as recidivism rates for those successfully completing the program, to measure the effectiveness of the program. The Committee therefore concluded that other states' standards and data collection should be studied to gain insight on establishing more effective juvenile drug courts in Illinois. The Committee further continued its research of the availability/adequacy of mental health services for juveniles by focusing on the Models for Change National Initiative, which promotes juvenile justice reform in several areas including mental health. The goal of the Initiative with respect to mental health for juveniles is that professionals in the fields of juvenile justice, child welfare, mental health, substance abuse and education would work collaboratively to meet the mental health needs of youth without unnecessary juvenile justice system involvement. The Committee found the Initiative's work in Pennsylvania to be instructive with respect to encouraging collaboration among diverse groups to provide mental health services for juveniles. As a final matter, the Committee discussed the applicability of the best interests of the minor standard and the superior rights standard in guardianship cases.

Study Committee on Complex Litigation
Judge Mary Ellen Coghlan
Circuit Court of Cook County, Chair

During the 2009 Judicial Conference year, the Study Committee on Complex Litigation, with the assistance of its Professor/Reporter and several new members appointed by the Court, embarked on the creation of a Fourth Edition of the

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Manual on Complex Civil Litigation. This endeavor, the most comprehensive of the projects/priorities identified in the Committee's charge for Conference Year 2009, comprised much of the Committee's work for this year, as the members focused on planning, organization and drafting of the Fourth Edition. Among the subjects to be included in the Fourth Edition will be text on construction cases, another of the projects/priorities identified in the Committee's 2009 charge. With respect to projects/priorities carried over from Conference Year 2008, the Committee was requested to review the Criminal Law and Procedure benchbook created by the IJC Committee on Education and consider appropriate revisions to the Criminal Manual. With the completion of the benchbook toward the latter part of the 2009 Judicial Conference year, the Committee anticipates being requested to review the benchbook in Conference Year 2010 to determine if substantial changes should be made to the Criminal Manual in order to avoid overlapping information and maintain the Manual's unique use as a "how to" guide for judges handling protracted or high-profile criminal cases. The Committee was also requested during Conference Year 2009 to revise the ADR chapter in the Civil Manual to address declaratory judgment cases. The Committee intends to include new text consistent with this charge in the Fourth Edition of the Civil Manual.

## Committee on Criminal Law and Probation Administration

Judge Mary S. Schostok Second District Appellate Court, Chair

The Illinois Judicial Conference Committee on Criminal Law and Probation Administration undertook several significant projects in 2009. Research continued on the feasibility of a criminal dispute resolution program resulting in recommendations being made to the Judicial Conference. The Committee continued to study and examine the feasibility for improving court efficiency in the acceptance of guilty pleas which also resulted in recommendations being made to the Judicial Conference. Research was also conducted on the need for a first offender program for those convicted of certain class 4 and class 3 felonies. The Committee also examined the use of "shock incarceration" to the Illinois Department of Corrections for certain offenders as part of the terms and conditions of probation. The Committee also began examining the use of videoconferencing in criminal proceedings. At the request of the Supreme Court Rules Committee, the committee examined and commented on a proposed rule concerning the use of restraints on criminal defendants during trial and a proposed rule which would authorize an attorney to disclose information of guilt received in a privileged communication which would exonerate another person wrongfully convicted of the admitted crime. The committee also examined other issues affecting criminal law and procedure, and continued to discuss and monitor the impact of the United States Supreme Court case of Crawford v. Washington, and its progeny concerning confrontation clause issues.

## Committee on Discovery Procedures Judge Mary Anne Mason

Circuit Court of Cook County, Chair

During the 2009 Conference Year, the Committee drafted proposed amendments to Supreme Court Rules 212(a) (5) and 206(h). The Committee's proposed amendment to Rule 212(a)(5) seeks to give the trial court discretion to permit the use of a party's discovery deposition at trial. The Committee's proposed amendment arose following an Appellate Court decision affirming the trial court's barring the use of plaintiff's discovery deposition at trial pursuant to Rule 212(a)(5) even though plaintiff died before taking his evidence deposition and lengthy delays were caused by defendants. The Committee's proposed amendment to Rule 206(h) permits electronic depositions on notice without leave of court. The Committee reasoned that current practice has been the acceptance of remote electronic depositions such that there is no need to require a party to obtain a court order. The Committee also considered and rejected the following projects: (1) whether to define work product and privilege for purposes of objecting to discovery under Supreme Court Rule 201(b)(2); (2) whether general objections to interrogatories/requests to produce should be prohibited; and (3) the feasibility of contention discovery as recognized under the federal rules.

## Committee on Education

Judge M. Carol Pope Fourth District Appellate Court, Chair

The Supreme Court has given the Committee on Education a charge to develop and recommend a "core" judicial education curriculum for Illinois judges which identifies key judicial education topics and issues to be addressed through judicial education activities each Conference year. This charge includes the identification of emerging legal, sociological, cultural and technical issues that may impact decision making and court administration by Illinois judges. Based upon this core curriculum, the Committee develops seminars and conferences, in coordination with the Administrative Office, for new and experienced judges, that include, New Judge Seminar, the Advanced Judicial Academy, Seminar Series and Education Conference, as well as a Faculty Development Workshop for judicial faculty. The Committee also reviews and recommends non-judicial conference judicial education programs for the award of judicial education credit. In addition, the Committee works with the Administrative Office to produce six Illinois Judicial Benchbooks: Criminal Law and Procedure, Civil Law and Procedure, DUI/Traffic, Family Law and Procedure, Evidence and Domestic Violence. The benchbooks are available to Illinois judges in print or CD format, and also through access to the judicial portal.

## Members of the Executive Committee of the Illinois Judicial Conference During 2009 Chief Justice Thomas R. Fitzgerald, Chair Cynthia Y. Cobbs, Secretary

Adrienne W. Albrecht, Circuit Judge, 21st Circuit Robert L. Carter, Appellate Judge, 3rd District Stephen J. Culliton, Chief Circuit Judge, 18th Circuit

Timothy C. Evans, Chief Circuit Judge, Circuit Court of Cook County Susan Fox Gillis, Associate Judge, Circuit Court of Cook County

Shelvin Louise Hall, Appellate Judge, 1st District

John C. Knight, Circuit Judge, 3rd Circuit

Rita M. Novak, Associate Judge, Circuit Court Cook County M. Carol Pope, Appellate Judge, 4th District

Elizabeth A. Robb, Chief Circuit Judge, 11th Circuit

Robert B. Spence, Circuit Judge, 16th Circuit John O. Steele, Appellate Judge, 1st District

Joseph J. Urso, Circuit Judge, Circuit Court of Cook County

Milton S. Wharton, Circuit Judge, 20th Circuit

## APPELLATE COURT

except for those cases appealed directly to the Supreme Court, a person has the right to request a review of a circuit court judge's ✓ decision by the appellate court.

The appellate court is organized into five districts. The first meets in Chicago, the second in Elgin, the third in Ottawa, the fourth in Springfield, and the fifth in Mt. Vernon.

Each district can have one or more divisions. There are six divisions in the first district and one in each of the other four. The Supreme Court assigns judges to the various divisions. The presiding judge of each division assigns judges to panels of three to hear appeals.

The number of appellate court judgeships, currently fifty-two, is determined by the legislature. The Supreme Court can assign additional circuit, appellate or retired judges temporarily to any district.

Totals do not include Industrial Commission Division Cases

Judges are elected by voters in each district for ten-year terms, and may be retained for additional tenyear terms. Each judge has a support staff of two law clerks and a secretary.

Each district manages its own operations, subject to the overall authority of the Supreme Court. In the first district (Cook County), an executive committee exercises general administrative authority. This committee elects a chairperson and vice-chairperson for one year. In the other districts, judges select one of their members to serve as presiding judge for one year.

Civil & Criminal Caseloads	Civil** Filed	Civil** Disposed	Criminal Filed	Criminal Disposed
2009	4,185	4,207	3,545	3,605
2008	4,103	4,170	3,527	3,755
2007	4,000	4,119	3,631	3,734
2006	4,186	4,271	3,652	3,980
2005	4,453	4,569	3,700	3,315

2006	4,186	4,2/1	3,652	3,9
2005	4,453	4,569	3,700	3,3

Total Caseload*	Filed	Disposed
2009	7,730	7,812
2008	7,630	7,925
2007	7,631	7,853
2006	7,838	8,251
2005	8,153	7,884

<sup>\*</sup>Totals include Industrial Commission Division Cases

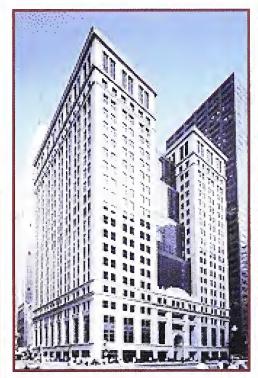
## Appellate Court Administrative Matters

Annual Meeting: The Appellate Court held its annual meeting October 6, 2009 with Justice Robert E. Gordon presiding as honorary chair. Fifty-one appellate justices attended the meeting. Pursuant to Article VI, Section 15(e) of the Illinois Constitution, the Illinois Appellate Court selects two appellate justices to serve as regular members and three appellate justices to serve as alternative members of the Illinois Courts Commission. Justice Margaret Stanton McBride (First District) and Justice Mary W. McDade (Third District) served as regular members, with Justice McBride commencing a second, three-year term, expiring December, 2012. Justices Mary S. Schostok, Susan E. Myerscough, and Richard P. Goldenhersch were elected as alternate members. Terms of both regular and alternate members pertain to service in 2010. Justice Thomas R. Appleton was selected to serve as the next honorary chair of the Illinois Appellate Court Annual Meeting to be held September 28, 2010.

Administrative Committee: The Appellate Court Administrative Committee studies and recommends improvements to the Illinois Appellate Court. Additionally, the Committee plans and sponsors the annual Appellate Court Conference. The 2009 Conference hosted fifty-one appellate justices, five appellate clerks, and five research directors on October 5-7 in Oak Brook, Illinois. Sessions addressed during the Conference included Jumping the Retirement Hurdle, The Founders and Their Constitution, The Radicalism of the American Revolution, Religion and the Founders, Models of Religious Liberty in the Founding Era, and The Original Understanding of the First Amendment, along with a review and panel discussion of U.S. and Illinois Supreme Court decisions. The Hon. Themis N. Karnezis serves as Chair of the Committee. The Hon. Rita B. Garman serves as the liaison officer from the Illinois Supreme Court.



## FIRST DISTRICT



## APPELLATE JUDGES

DIVISION I

Shelvin Louise Marie Hall, Presiding Judge

Rodolfo Garcia\*
Bertina E. Lampkin\*
Sebastian T. Patti\*

**DIVISION II** 

Joy V. Cunningham, Presiding Judge

Thomas E. Hoffman Themis N. Karnezis\* Mary Jane Theis

DIVISION III

Michael J. Murphy, Presiding Judge

Sharon Johnson Coleman Patrick J. Quinn John O. Steele DIVISION IV

Margaret J. O'Mara Frossard, Presiding Judge\*

> Michael J. Gallagher+ P. Scott Neville, Jr.\* Sheila M. O'Brien

> > **DIVISION V**

Michael P. Toomin, Presiding Judge\*

Nathaniel R. Howse, Jr.\*
James Fitzgerald Smith
John P. Tully

**DIVISION VI** 

Robert Cahill, Presiding Judge

Joseph Gordon
Robert E. Gordon\*
Margaret S. McBride ++

+ Chair ++ Vice-Chair: Executive Committee;

\* circuit judge assigned to appellate court

Civil & Criminal Caseloads	Civil** Filed	Civil** Disposed	Criminal Filed	Criminal Disposed
2009	2,013	2,088	1,606	1,663
2008	2,020	1,987	1,582	1,697
2007	1,820	1,998	1,715	1,808
2006	1,965	1,989	1,768	1,956
2005	2,153	2,227	1,927	1,577

\*\*Totals do not include Industrial Commission Division Cases

First District - Chicago
Michael A. Bilandic Building
(Formerly State of Illinois Building)
Completed in 1924; Remodeled in 1992;
Renamed in 2003
(Holabird & Root/CDB photo)
160 North LaSalle Street
Chicago, IL 60601
(312) 793-5600

Steven M. Ravid, Clerk Marilyn T. Kujawa, Research Director

Circuit:

Circuit Court of Cook County

District Population: 5,287,037 (2009 est.)

Total Pending Caseload* All Case Categories	Pending
2009	5,835
2008	5,738
2007	5,589
2006	5,551
2005	5,358

\*Totals include Industrial Commission Division Cases

## SECOND DISTRICT





Second District Courthouse - Elgin Completed in 1966 (Second District Photo) 55 Symphony Way Elgin, IL 60120 (847) 695-3750

Robert J. Mangan, Clerk Jeffrey H. Kaplan, Research Director

Circuits (Counties):
15th (Carroll, Jo Daviess, Lee, Ogle & Stephenson)
16th (DeKalb, Kane & Kendall)
17th (Boone & Winnebago)
18th (DuPage)
19th (Lake)
22nd (McHenry)

District Population: 3,218,368 (2009 est.)

## APPELLATE JUDGES

Kathryn E. Zenoff\*, Presiding Judge

John J. Bowman Michael J. Burke\* Donald C. Hudson\* Susan F. Hutchinson Ann B. Jorgensen Robert D. McLaren Jack O'Malley Mary S. Schostok

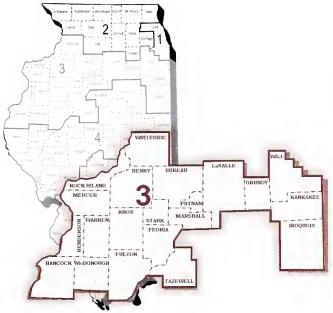
\*circuit judge assigned to appellate court

Civil & Criminal Caseloads	Civil** Filed	Civil** Disposed	Criminal Filed	Criminal Disposed
2009	716	688	647	676
2008	633	612	591	620
2007	629	606	659	601
2006	649	629	647	6 <b>2</b> 5
2005	697	683	572	548

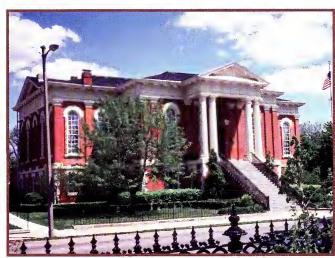
<sup>\*\*</sup>Totals do not include Industrial Commission Division Cases

Total Pending Caseload* All Case Categories	Pending
2009	1,738
2008	1,698
2007	1,658
2006	1,550
2005	1,471

<sup>\*</sup>Totals include Industrial Commission Division Cases



## THIRD DISTRICT



Third District Courthouse - Ottawa Completed in 1860 (Gist Fleshman Photo) 1004 Columbus Street Ottawa, IL 61350 (815) 434-5050

Gist Fleshman, Clerk Gerald Ursini, Research Director

Circuits (Counties):
9th (Fulton, Hancock, Henderson,
Knox, McDonough & Warren)
10th (Marshall, Peoria, Putnam, Stark & Tazewell)
12th (Will)
13th (Bureau, Grundy & LaSalle)

14th (Henry, Mercer, Rock Island & Whiteside)
21st (Iroquois & Kankakee)

District Population: 1,802,355 (2009 est.)

## APPELLATE JUDGES

Mary K. O'Brien, Presiding Judge

Robert L. Carter
William E. Holdridge
Tom M. Lytton
Mary W. McDade
Daniel Schmidt
Vicki Wright

Civil & Criminal Caseloads	Civil** Filed	Civil** Disposed	Criminal Filed	Criminal Disposed
2009	555	526	509	532
2008	444	456	578	480
2007	456	445	472	458
2006	477	533	454	513
2005	480	489	417	408

<sup>\*\*</sup>Totals do not include Industrial Commission Division Cases

Total Pending Caseload* All Case Categories	Pending
2009	1,001
2008	988
2007	884
2006	849
2005	950

<sup>\*</sup>Totals include Industrial Commission Division Cases

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## FOURTH DISTRICT





Fourth District Courthouse - Springfield
Waterways Building
Renovated in 2001
(Photo by Terry Farmer Photography, Inc.)
201 West Monroe Street, Springfield, IL 62794
(217) 782-2586

## Carla Bender, Clerk Shirley Wilgenbusch, Research Director

## Circuits (Counties):

5th (Clark, Coles, Cumberland, Edgar & Vermilion) 6th (Champaign, DeWitt, Douglas, Macon, Moultrie & Piatt)

7th (Greene, Jersey, Macoupin, Morgan, Sangamon & Scott)

8th (Adams, Brown, Calhoun, Cass, Mason, Menard, Pike & Schuyler)

11th (Ford, Livingston, Logan, McLean & Woodford)

District Population: 1,298,194 (2009 est.)

## APPELLATE JUDGES

## Sue E. Myerscough, Presiding Judge

Thomas R. Appleton\*
James A. Knecht
John T. McCullough
M. Carol Pope\*
Robert J. Steigmann
John W. Turner

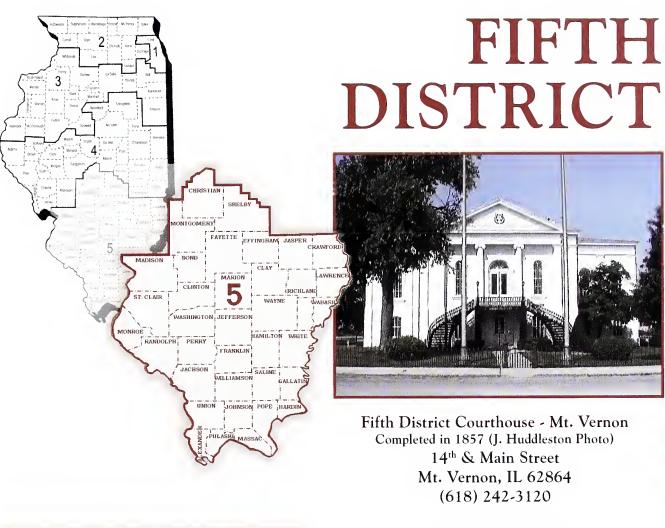
\*circuit judge assigned to appellate court

Civil & Criminal Caseloads	Civil** Filed	Civil** Disposed	Criminal Filed	Criminal Disposed
2009	470	480	510	473
2008	443	554	511	707
2007	533	524	518	607
2006	535	510	540	652
2005	523	546	532	519

All Case Categories	Pending
2009	721
2008	661
2007	964
2006	1,028
2005	1,090

<sup>\*</sup>Totals include Industrial Commission Division Cases

<sup>\*\*</sup>Totals do not include Industrial Commission Division Cases



## APPELLATE JUDGES

Richard P. Goldenhersh, Presiding Judge

Melissa A. Chapman James K. Donovan Stephen L. Spomer\* Bruce D. Stewart Thomas M. Welch James M. Wexstten

\*circuit judge assigned to appellate court

John J. Flood, Clerk Vito A. Mastrangelo, Research Director

Circuits (Counties):

1st (Alexander, Jackson, Johnson, Massac, Pope, Pulaski, Saline, Union & Williamson) 2nd (Crawford, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jefferson, Lawrence, Richland, Wabash, Wayne & White)

3rd (Bond & Madison)
4th (Christian, Clay, Clinton, Effingham, Fayette,
Jasper, Marion, Montgomery & Shelby)
20th (Monroe, Perry, Randolph, St. Clair &
Washington)

District Population: 1,304,455 (2009 est.)

Civil & Criminal Caseloads	Civil** Filed	Civil** Disposed	Criminal Filed	Criminal Disposed
2009	431	425	273	261
2008	364	395	265	251
2007	410	409	267	260
2006	418	460	243	234
2005	461	488	252	263

**Totals do	not include	Industrial	Commission	Division Cases
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Total Pending Caseload*	
All Case Categories	Pending
2009	757
2008	735
2007	752
2006	721
2005	736

<sup>\*</sup>Totals include Industrial Commission Division Cases

## CIRCUIT COURTS

The court of "original jurisdiction" is the circuit court. There are twenty-three circuits in the state, five of which are single county circuits (Cook, Will, DuPage, Lake, and McHenry). The remaining eighteen circuits contain two to twelve counties per circuit.

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In Illinois, the circuit court is the court of original jurisdiction. There are twenty-three circuits in the state. Five are single county circuits (Cook, Will, DuPage, Lake, and McHenry) and the remaining eighteen circuits comprise as few as two and as many as twelve counties each. Except for redistricting of the general assembly and ruling on the ability of the governor to serve or resume office, the circuit court has jurisdiction for all matters properly brought before it. The circuit court shares jurisdiction with the Supreme Court to hear cases relating to revenue, mandamus, prohibition, and habeas corpus. If the Supreme Court chooses to exercise its authority in a case of these types, the circuit court loses jurisdiction. The circuit court is also the reviewing court for certain state agency administrative orders. There are two types of judges in the circuit court: circuit judges and associate judges. Circuit judges are elected for a six year term and may be retained by voters for additional six year terms. They can hear any circuit court case. Circuit judges are initially elected either circuit-wide, from the county where they reside or from a sub-circuit within a county, depending on the type of vacancy they are filling. Associate judges are appointed by circuit judges, pursuant to Supreme Court rules, for four-year terms. An associate judge can hear any case, except criminal cases punishable by a prison term of one year or more (felonies). An associate judge can be specially authorized by the Supreme Court to hear all criminal cases. Circuit judges in a circuit elect one of their members to serve as chief circuit court judge. The chief judge has general administrative authority in the circuit, subject to the overall administrative authority of the Supreme Court. The chief judge can assign cases to general or specialized divisions within the circuit.

Circuit Court Administrative Matters

Conference of Chief Circuit Judges: The Conference of Chief Circuit Judges is composed of the chief circuit judges from the twenty-three Illinois judicial circuits. Judge S. Gene Schwarm, Chief Judge of the Fourth Judicial Circuit, serves as chairperson of the Conference and Judge Elizabeth A. Robb, Chief Judge of the Eleventh Judicial Circuit, serves as vice-chairperson. The conference meets regularly to discuss issues related to the administration of justice in the circuit courts and other matters referred to the conference by the Supreme Court. The Administrative Office serves as secretary to the Conference.

Conference Committees and Activities: The Conference has established committees to address particular issues and to provide information and recommendations. Committees active during 2009 include the Article V Committee; Committee on Forms; Committee to Revise the Chief Circuit Judges' Manual: Domestic Relations Committee: Jury Panel Representation Committee; Juvenile Committee; Long-Range Planning Committee; Orientation Committee; Pandemic Outbreak Benchbook Committee; Prison Committee; Probation Committee; Specialty Courts Committee: and several ad hoc committees convened to

study specific, short-term topics.

During 2009, the committees of the Conference considered subject matter in several areas. The Pandemic Outbreak Benchbook Committee created a benchbook for trial courts which provides instruction for dealing with virus outbreaks. The Domestic Relations Committee announced several mediator trainings to assist mediators with fulfillment of continuing legal education requirements. The Article V Committee monitored compliance with the mandated uniform traffic ticket and made several recommendations concerning bond, fines and fees. The Committee on Forms worked with the Illinois Family Violence Coordinating Councils to create a new Stalking No Contact

Order and Order of Protection in accordance with new legislation. The Article V Committee, Domestic Relations Committee, Committee on Forms, Juvenile Committee, Prison Committee, Specialty Courts Committee, and Probation Committee continued to monitor and analyze new legislation and Supreme Court Rules relevant to each committee's focus. As necessary, related forms, policy, orders, etc., were modified in accordance with the new provisions.

Order, and amended the Civil No Contact

In addition, the Conference continued its work on developing emergency preparedness standards for

Illinois circuit courts.

In the interest of furthering the knowledge and skills of its members, the Conference hosted a variety of presentations relating to trial court issues. For example, the Illinois State Bar Association made a presentation concerning intermediary programs designed to provide a vehicle for a judge to notify a designated individual regarding attorney behavior, or, alternatively, an attorney may notify the designated individual regarding a judge's behavior. The Administrative Office of the Illinois Courts made a presentation to assist circuits with Public Act 95-773 (Bischof Law) concerning domestic violence surveillance program standards and implementation of global positioning systems. Finally, Treatment Alternatives for Safe Communities (TASC) made a presentation regarding substance abuse treatment



## CASE CATEGORIES

CIVIL: Law and Law Magistrate for monetary damages over \$10,000; Arbitration; Small Claims (amounts up to \$10,000)\*; Chancery (e.g., title to real property and injunctions); Miscellaneous Remedy (e.g., review of decisions of administrative bodies, habeas corpus matters, and demolition); Probate (e.g., estates of deceased persons and guardianships); Order of Protection (petition for order of protection and civil no contact order filed separately from an existing case); Dissolution (e.g., divorce, separate maintenance, and annulment); Mental Health (e.g., commitment and discharge from mental facilities); Eminent Domain (e.g., compensation when property is taken for public use); Municipal Corporation and Tax (e.g., matters pertaining to the organization of municipalities and collection of taxes at the local level); Adoptions; Family (e.g., proceedings to establish parent-child relationship and actions relating to child support).

**CRIMINAL:** Felony (e.g., a criminal case in which the offense carries a penalty of at least one year in prison) and **Misdemeanor**. OTHER: **Ordinance**, **Conservation**, **Traffic** (excluding parking tickets), and **DUI**.

**JUVENILE:** Abuse and Neglect, Delinquent, and Other (e.g., a minor who requires authoritative intervention).

\*Small Claim amount increased to \$10,000 effective January 1, 2006. (Amended Supreme Court Rule 281).

Caseload Statistics	Civil Filed	Civil Disposed	Juvenile Filed	Juvenile Disposed	Felony Filed	Felony Disposed
2009	779,692	776,953	29,935	24,655	86,057	90,131
2008	753,569	750,484	28,834	25,143	90,466	91,307
2007	773,204	732,016	27,131	27,148	93,183	94,917
2006	706,836	700,608	26,454	28,921	95,747	95,676
2005	672,781	677,728	28,519	32,662	94,125	98,293

Category	2009 Total Cases Filed
Traffic (excl. DUI)	2,612,037
Civil (excl. OP)	729,241
Misdemeanor	327,355
Conservation/Ordinance	143,629
Felony	86,057
DUI	56,432
Order of Protection	50,451
Juvenile	29,935

Total Caseload	Filed	Disposed
2009	4,035,137	4,071,235
2008	4,220,121	4,239,358
2007	4,455,546	4,361,424
2006	4,305,551	4,248,347
2005	4,213,730	4,226,456



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## Richard J. Daley Center

(Photo courtesy of the Chicago Architecture Foundation)

> Timothy C. Evans, **Chief Judge**

2600 Daley Center Chicago, IL 60602

**Circuit Population:** 5,287,037

(2009 est.)

Pending Caseload	Civil	Felony	Juvenile
2009	487,165	20,594	18,446
2008	477,666	21,453	14,392
2007	462,673	22,080	12,828
2006	412,285	22,815	15,022
2005	396,180	23,039	18,137

Total Caseload	Filed	Disposed
2009	1,661,115	1,647,108
2008	1,761,364	1,768,850
2007	1,955,480	1,847,369
2006	1,873,192	1,821,063
2005	1,822,758	1,820,929

## CIRCUIT COURT OF COOK COUNTY

(First Appellate District)

Circuit Judges:

Martin S. Agran Mauricio Araujo Edward A. Arce Nancy J. Arnold Robert Balanoff Patricia Banks Ronald F. Bartkowicz Carole K. Bellows Gerald C. Bender Michael Ian Bender Andrew Berman Jeanne Cleveland Bernstein Robert W. Bertucci Paul P. Biebel, Jr. Richard J. Billik Jr. Daniel P. Brennan Margaret Ann Brennan Eileen Mary Brewer Cynthia Y. Brim Rodney Hughes Brooks Janet Adams Brosnahan Mary M. Brosnahan James R. Brown Henry A. Budzinski Dennis J. Burke Kathleen Marie Burke Charles Burns Anthony L. Burrell Thomas J. Byrne John P. Callahan, Jr. Diane Gordon Cannon Robert Lopez Cepero Gloria Chevere Thomas R. Chiola Evelyn B. Clay Martin D. Coghlan Mary Ellen Coghlan Matthew E. Coghlan Melvin J. Cole Ann Collins-Dole Claudia G. Conlon Maureen E. Connors Donna L. Cooper Clayton J. Crane Paula M. Daleo Thomas M. Davy Maureen F. Delehanty David Delgado

Anna Helen Demacopoulos

Grace G. Dickler

Christopher J. Donnelly

John T. Doody, Jr.

Deborah M. Dooling

Jennifer Duncan-Brice

Laurence J. Dunford

Loretta Eadie-Daniels

James D. Egan

Lynn Marie Egan

Richard J. Elrod

James R. Epstein

Candace J. Fabri

Thomas P. Fecarotta, Jr.

Roger G. Fein

Peter A. Felice Denise K. Filan Kathy M. Flanagan Thomas E. Flanagan James P. Flannery, Jr. Ellen L. Flannigan John J. Fleming Kenneth L. Fletcher Peter Flynn Nicholas R. Ford Steven J. Fruth Raymond Funderburk Vincent M. Gaughan James J. Gavin Nicholas Geanopoulos Allen S. Goldberg John C. Griffin Susan Ruscitti Grussel Catherine M. Haberkorn William J. Haddad Sophia H. Hall Orville E. Hambright, Jr. Kay M. Hanlon La Quietta J. Hardy-Campbell Edward Harmening Sheldon A. Harris Shelli Williams Haves Curtis Heaston Pamela E. Hill Veal Margarita Kulys Hoffman Thomas L. Hogan William H. Hooks Vanessa A. Honkins Carol M. Howard Garritt E. Howard Michael J. Howlett, Jr. Arnette R. Hubbard Michael B. Hyman Cheyrl D. Ingram Anthony A. Iosco Moshe Jacobius Raymond L. Jagielski Marilyn F. Johnson Dorothy F. Jones Rickey Jones Sidney A. Jones III Daniel E. Jordan Edward R. Jordan Michelle D. Jordan Paul A. Karkula Joseph G. Kazmierski, Jr. Thomas J. Kelley Carol A. Kelly James W. Kennedy Kathleen G. Kennedy Kerry M. Kennedy Diana L. Kenworthy Dorothy K. Kinnaird John P. Kirby Geary W. Kull

William J. Kunkle

William G. Lacy

Diane Joan Larsen

Jeffrey Lawrence

Marjorie C. Laws Yehuda P. Lebovits Pamela Leeming Casandra Lewis Thomas J. Lipscomb Noreen V. Love Michele F. Lowrance Pamela E. Loza Stuart F. Lubin Marvin P. Luckman Daniel Joseph Lynch Thomas V Lyons II William D. Maddux William 0. Maki Daniel B. Malone Marcia Maras Jill Cerone Marisie LeRoy K. Martin, Jr. Patricia Martin Mary Anne Mason Veronica B. Mathein James P. McCarthy Barbara A. McDonald Susan J. McDunn Patrick E. McGann James M. McGing Sheila McGinnis Dennis M. McGuire Kathleen M. McGury Michael B. McHale Clare E. McWilliams Barbara M. Mever Mary Lane Mikva Martha A. Mills Raymond W. Mitchell Colleen McSweeney Moore John J. Moran Mary A. Mulhern Allen F. Murphy James P. Murphy Lisa Ruble Murphy Patrick T. Murphy Thomas W. Murphy Timothy P. Murphy Joyce Marie Murphy Gorman James C. Murray, Jr. Marya Nega Lewis Nixon Donald J. O'Brien, Jr. Edward P. O'Brien Joan Margaret O'Brien Patrick W. O'Brien William Timothy O'Brien Ann O'Donnell Lawrence O'Gara James N. O'Hara Eileen O'Neill Burke William D. O'Neal Ramon Ocasio III Stuart E. Palmer Kathleen M. Pantle Sheryl A. Pethers Donna Phelps Felton Daniel J. Pierce Edward N. Pietrucha Edmund Ponce de Leon Jackie M. Portman Joan E. Powell Lee Preston Aurelia Pucinski Robert J. Quinn Thomas P. Quinn Jesse G. Reyes James L. Rhodes

Daniel A. Riley James G. Rilev Anita Rivkin-Carothers Mary Colleen Roberts Mary K. Rochford Patrick T. Rogers Dominique C. Ross Thomas D. Roti Maureen Durkin Roy Kristyna C. Ryan James Ryan Leida Gonzalez Santiago Drella Savage George Scully, Jr. James A. Shapiro Colleen F. Sheehan Kevin M. Sheehan Diane M. Shelley Patrick J. Sherlock Henry R. Simmons, Jr. Henry M. Singer Maura Slattery Boyle Irwin J. Solganick Cheryl A. Starks David P. Sterba Victoria A. Stewart Paul Stralka Jane Louise Stuart Michael W. Stuttley Daniel J. Sullivan Laura M. Sullivan Sharon M. Sullivan Donald J. Suriano Shelley Sutker-Dermer Rhoda Sweeney Bill Taylor Lawrence Terrell Amanda Toney Sandra Tristano John D. Turner, Jr. Valarie Turner Joseph J. Urso James M. Varga Raul Vega Kenneth J. Wadas Carl Anthony Walker Debra B. Walker Ursula Walowski Richard F. Walsh John A. Ward Maureen Ward Kirby Edward Washington, II John A. Wasilewski Alexander P. White Walter Williams Camille E. Willis Thaddeus L. Wilson Charles R. Winkler William H. Wise Gregory J. Wojkowski Lauretta Higgins Wolfson E. Kenneth Wright, Jr. Frank G. Zelezinski Susan F. Zwick

> Associate Judges: Carmen K. Aguilar Jorge L. Alonso

Edward A. Antonietti David B. Atkins Larry Axelrood

Callie L. Baird Patrice Ball-Reed Mark J. Ballard

Helaine L. Berger Laura Bertucci Smith Samuel J. Betar III Adam D. Bourgeois, Jr. Yolande M. Bourgeois Darron E. Bowden William Stewart Boyd Stephen Y. Brodhay Michael Brown Elizabeth M. Budzinski Clarence Lewis Burch Anthony J. Calabrese John Thomas Carr Frank B. Castiglione Cheryl D. Cesario Timothy J. Chambers Peggy Chiampas Joseph M. Claps LaGuina Clay-Clark Robert J. Clifford Neil H. Cohen Susan M. Coleman Thomas J. Condon Stephen J. Connolly Lisa R. Curcio Noreen M. Daly Ronald S. Davis Frank DeBoni Mathias W. Delort Israel A. Desierto Sheila King Devane Thomas M. Donnelly Lauren Gottainer Edidin James P. Etchingham Maureen P. Feerick Fe' Fernandez Howard L. Fink Brian K. Flaherty Lawrence E. Flood Lawrence P. Fox Thomas V. Gainer, Jr. Sheldon C. Garber Daniel T. Gillespie Pamela Hughes Gillespie Susan Fox Gillis Gregory R. Ginex Steven J. Goebel Renee G. Goldfarb William E. Gomolinski Joel L. Greenblatt Maxwell Griffin, Jr. J. B. Grogan Gilbert J. Grossi R. Morgan Hamilton David E. Haracz Donald R. Havis Thomas J. Hennelly Rosemary Higgins Arthur F. Hill, Jr. Earl B. Hoffenberg Ann Houser John L. Huff Bridget J. Hughes Colleen A. Hyland John J. Hynes Marianne Jackson William R. Jackson, Jr. Moira Susan Johnson Timothy J. Joyce Jordan Kaplan James N. Karahalios

Lynne Kawamoto Carol A. Kipperman Randye A. Kogan Demetrios G. Kottaras Joan M. Kubalanza Maria Kuriakos Ciesil Alfred L. Levinson Neil J. Linehan James B. Linn Patricia M. Logue Mark J. Lopez Patrick F. Lustig Thaddeus S. Machnik Jeffrey A. Malak Ellen Beth Mandeltort Martin E. McDonough Brigid Mary McGrath Patricia Mendoza Mary R. Minella Daniel R. Miranda Martin P. Moltz Thomas R. Mulroy Leonard Murray Raymond Myles Rita M. Novak Gregory M. O'Brien Thomas J. O'Hara James M. Obbish Marcia B. Orr Donald D. Panarese, Jr. Joseph D. Panarese Luciano Panici Kathleen Ann Panozzo Michael R. Panter Alfred J. Paul Arthur C. Perivolidis Angela M. Petrone William G. Pileggi Dennis J. Porter Carolyn Quinn Marquerite Quinn Jeanne M. Reynolds Hyman Riebman Elizabeth Loredo Rivera Stanley J. Sacks Marcus R. Salone Bernard J. Sarley Naomi H. Schuster Joseph M. Sconza John J. Scotillo Robert E. Senechalle, Jr. Terrence V. Sharkey Darryl B. Simko Michele M. Simmons Douglas J. Simpson David A. Skryd Terence B. Smith James E. Snyder Domenica A. Stephenson Richard A. Stevens Sanjay T. Tailor Sybil C. Thomas Elmer J. Tolmaire III John D. Tourtelot Thomas M. Tucker Franklin U. Valderrama Rena M. Van Tine Gregory P. Vazquez Neera Walsh Jeffrey L. Warnick Lori M. Wolfson Leon Wool

James A. Zafiratos



Pamela G. Karahalios

Nancy J. Katz

Stuart P. Katz

## FIRST CIRCUIT

(Fifth Appellate District)



Pulaski County Courthouse, Mound City

Mark H. Clarke, Chief Judge

Williamson County Courthouse 200 W. Jefferson Street Marion, IL 62959

Circuit Population: 213,838 (2009 est.)

### Counties (seats):

Alexander (Cairo) Jackson (Murphysboro) Saline (Harrisburg) Johnson (Vienna) Massac (Metropolis)

Pope (Golconda)

Pulaski (Mound City) Union (Jonesboro) Williamson (Marion)

## SECOND CIRCUIT

(Fifth Appellate District)



Edwards County Courthouse, Albion

E. Kyle Vantrease, Chief Judge **Jefferson County Justice Center** 911 Casey Avenue, Suite HI-05 Mt. Vernon, IL 62864

Circuit Population: 198,175 (2009 est.)

### Counties (seats):

Crawford (Robinson) Edwards (Albion) Franklin (Benton) Gallatin (Shawneetown) Hamilton (McLeansboro) Hardin (Elizabethtown)

lefferson (Mount Vernon) Lawrence (Lawrenceville) Richland (Olney) Wabash (Mount Carmel) Wayne (Fairfield) White (Carmi)

## THIRD CIRCUIT

(Fifth Appellate District)



Bond County Courthouse, Greenville

Ann E. Callis, Chief Judge Madison County Courthouse 155 North Main, #405 Edwardsville, IL 62025 Circuit Population: 286,560 (2009 est.)

### Counties (seats):

Bond (Greenville) Madison (Edwardsville) Circuit Judges: Brad K. Bleyer, Mark M. Boie, Ronald R. Eckiss, W. Charles Grace, Joseph Jay Jackson, Joseph M. Leberman, James R. Moore, Walden E. Morris, Phillip G. Palmer, Sr., William G. Schwartz, William J. Thurston, James R. Williamson

Associate Judges: Charles Clayton Cavaness, Kimberly L. Dahlen, Everett D. Kimmel, Todd D. Lambert, Brian D. Lewis, Christy W. Solverson, John A. Speroni

Pending Caseload	Civil	Felony	Juvenile
2009	13,175	2,002	1,532
2008	13,313	2,185	1,554
2007	12,792	2,025	1,379
2006	11,943	1,855	1,168
2005	11,588	1,682	1,125

Total Caseload	Filed	Disposed
2009	98,132	90,406
2008	100,582	94,079
2007	110,857	99,134
2006	93,184	91,672
2005	93,886	85,857

Circuit Judges: Melissa A. Drew, Larry D. Dunn, Thomas J. Foster, David K. Frankland, Terry H. Gamber, Bennie Joe Harrison, Robert M. Hopkins, Paul W. Lamar, David K. Overstreet, Stephen G. Sawyer, Thomas H. Sutton, Thomas Joseph Tedeschi, Barry L. Vaughan, Christopher L. Weber

Associate Judges: Leo T. Desmond, Kimbara Graham Harrell, Robert W. Lewis, Timothy R. Neubauer, Mark Lane Shaner, Mark R. Stanley

Pending Caseload	Civil	Felony	Juvenile
2009	14,069	2,423	1,548
2008	13,395	2,606	1,414
2007	12,508	2,526	1,394
2006	11,318	2,717	1,303
2005	9,518	2,464	1,194

Total Caseload	Filed	Disposed
2009	62,259	59,353
2008	57,971	55,689
2007	57,603	56,373
2006	55,403	51,958
2005	55,062	51,565

Circuit Judges: Barbara L. Crowder, David A. Hylla, John Knight, A. Andreas Matoesian, Charles V. Romani, Jr., Dennis R. Ruth, Daniel J. Stack, Richard L. Tognarelli

Associate Judges: Duane L. Bailey, Thomas William Chapman, Ellar Duff, David Keith Grounds, James Hackett, Clarence W. Harrison II, Janet Rae Heflin, Keith Jensen, Elizabeth Levy, Nelson F. Metz, Kyle Napp, Stephen A. Stobbs

Pending Caseload	Civil	Felony	Juvenile
2009	18,016	2,444	622
2008	16,613	2,384	494
2007	17,413	2,387	430
2006	18,408	2,347	479
2005	17,352	2,210	457

Total Caseload	Filed	Disposed
2009	107,792	107,302
2008	111,332	113,282
2007	116,829	118,488
2006	111,303	107,999
2005	103,859	101,030

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## FOURTH CIRCUIT

(Fifth Appellate District)



Jasper County Courthouse, Newton

S. Gene Schwarm, Chief Judge Montgomery County Courthouse

120 N. Main St., #231 Hillsboro, IL 62049

Circuit Population: 239,359 (2009 est.)

#### Counties (seats):

Christian (Taylorville)
Clay (Louisville)
Clinton (Carlyle)
Effingham (Effingham)
Fayette (Vandalia)

Jasper (Newton)
Marion (Salem)
Montgomery (Hillsboro)
Shelby (Shelbyville)

## FIFTH CIRCUIT

(Fourth Appellate District)



Vermilion County Courthouse, Danville

#### Tracy W. Resch, Chief Judge

Clark County Courthouse 501 Archer Avenue Marshall, IL 62441 Circuit Population: 177,976 (2009 est.)

#### Counties (seats):

Clark (Marshall)
Coles (Charleston)
Cumberland(Toledo)
Edgar (Paris)
Vermilion (Danville)

## SIXTH CIRCUIT

(Fourth Appellate District)



Champaign County Courthouse, Urbana

#### John P. Shonkwiler, Chief Judge

Piatt County Courthouse 101 W. Washington Room 306 Monticello, IL 61856 Circuit Population: 370,020 (2009 est.)

#### Counties (seats):

Champaign (Urbana)
DeWitt (Clinton)
Douglas (Tuscola)
Macon (Decatur)
Moultrie (Sullivan)
Piatt (Monticello)

Pending Caseload	Civil	Felony	Juvenile
2009	8,356	1,043	746
2008	8,583	936	624
2007	8,410	874	487
2006	9,037	858	448
2005	8,804	868	327

Total Caseload	Filed	Disposed
2009	65,366	63,551
2008	66,056	64,372
2007	69,371	67,826
2006	66,327	65,739
2005	67,484	66,111

Circuit Judges: Claudia J. Anderson, Michael D. Clary, Craig H. DeArmond, Millard Scott Everhart, Nancy S. Fahey, Steven L. Garst, James R. Glenn, Gary W. Jacobs, Teresa K. Righter, Richard E. Scott, Mitchell K. Shick

Associate Judges: Mark S. Goodwin, David W. Lewis, Brien J. O' Brien, Joseph P. Skowronski, Jr., Gordon R. Stipp

Pending Caseload	Civil	Felony	Juvenile
2009	19,093	1,929	1,313
2008	20,724	1,911	1,127
2007	21,443	2,131	1,029
2006	21,222	1,972	1,260
2005	22,482	1,899	1,174

Total Caseload	Filed	Disposed
2009	48,096	46,491
2008	47 <mark>,</mark> 078	44,617
2007	48,325	44,557
2006	46,823	45,305
2005	48,098	44,472

Circuit Judges: Arnold F. Blockman, Garry W. Bryan, Michael G. Carroll, Harry E. Clem, Thomas J. Difanis, Dan L. Flannell, Jeffrey B. Ford, Michael Q. Jones, Heidi Ladd, Katherine M. McCarthy, Theodore E. Paine, Albert G. Webber, Lisa Holder White

Associate Judges: Robert C. Bollinger, Holly F. Clemons, James Coryell, Scott B. Diamond, Chris E. Freese, John R. Kennedy, Richard P. Klaus, Charles McRae Leonhard, Thomas E. Little, Brian L. McPheters, Timothy J. Steadman

Pending Caseload	Civil	Felony	Juvenile
2009	29,148	3,402	2,255
2008	27,964	3,482	2,375
2007	26,718	3,230	1,892
2006	23,741	3,103	1,191
2005	28,089	3,237	1,055

<b>Total Caseload</b>	Filed	Disposed
2009	98,825	98,567
2008	99,198	92,739
2007	103,939	102,787
2006	98,064	101,650
2005	97,554	93,597

## SEVENTH CIRCUIT

(Fourth Appellate District)



Scott County Courthouse, Winchester

#### Patrick W. Kelley, Chief Judge

Sangamon County Complex 200 S. 9th Street, Room 522 Springfield, IL 62701

Circuit Population: 319,696 (2009 est.)

#### Counties (seats):

Greene (Carrollton)
Jersey (Jerseyville)
Macoupin (Carlinville)
Morgan (Jacksonville)
Sangamon (Springfield)
Scott (Winchester)

## EIGHTH CIRCUIT

(Fourth Appellate District)



Adams County Courthouse, Quincy

#### Richard D. Greenlief, Chief Judge

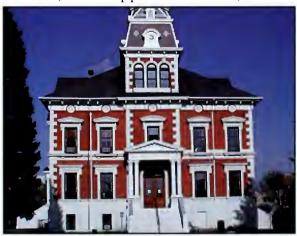
Adams County Courthouse
521 Vermont Street
Quincy, IL 62301
Circuit Population: 142,477 (2009 est.)

#### Counties (seats):

Adams (Quincy) Mason (Havana)
Brown (Mount Sterling) Menard (Petersburg)
Calhoun (Hardin) Pike (Pittsfield)
Cass (Virginia) Schuyler (Rushville)

## NINTH CIRCUIT

(Third Appellate District)



McDonough County Courthouse, Macomb

Gregory K. McClintock, Chief Judge 130 S. Lafayette Street, Suite 30

Macomb, IL 61455 Circuit Population: 164,192 (2009 est.)

#### Counties (seats):

Fulton (Lewistown)
Hancock (Carthage)
Henderson (Oquawka)
Knox (Galesburg)
McDonough (Macomb)
Warren (Monmouth)

Associate Judges: Rudolph M. Braud, Jr., Diane L. Brunton, John E. Childress, Robert T. Hall, John A. Mehlick, Steven H. Nardulli, Tim P. Olson, C. Perrin, Esteban F. Sanchez, April G. Troemper

Pending Caseload	Civil	Felony	Juvenile
2009	35,806	2,093	3,325
2008	34,309	1,988	3,169
2007	31,291	1,807	3,205
2006	35,069	1,682	2,907
2005	37,633	1,542	2,786

Total Caseload	Filed	Disposed
2009	104,153	107,258
2008	108,320	110,121
2007	106,032	114,830
2006	95,082	103,861
2005	103,026	106,274

Circuit Judges: Thomas L. Brownfield, Mark A. Drummond, Bobby G. Hardwick, Diane M. Lagoski, William O. Mays, Jr., Alesia A. McMillen, Michael R. Roseberry, Mark A. Schuering, Scott H. Walden

Associate Judges: Thomas Brannan, Scott J. Butler, Thomas J. Ortbal, Chet W. Vahle, John C. Wooleyhan

Pending Caseload	Civil	Felony	Juvenile
2009	5,177	1,029	471
2008	4,783	936	461
2007	4,836	942	452
2006	5,634	905	279
2005	6,248	865	213

Total Caseload	Filed	Disposed
2009	38,855	38,308
2008	42,475	42,016
2007	45,332	44,906
2006	45,413	45,625
2005	47,625	45,451

Circuit Judges: Edward R. Danner, William C. Davis, William D. Henderson, Paul L. Mangieri, Stephen C. Mathers, Scott Shipplett, James B. Stewart, David F. Stoverink, David L. Vancil, Jr.

Associate Judges: Steven R. Bordner, John R. Clerkin, Richard H. Gambrell, Dwayne I. Morrison, Patricia A. Walton

Pending Caseload	Civil	Felony	Juvenile
2009	9,123	1,542	353
2008	8,701	1,364	256
2007	9,115	1,299	251
2006	9,392	1,201	240
2005	9,143	1,328	293

Total Caseload	Filed	Disposed
2009	44,618	42,821
2008	40,720	39,517
2007	41,749	41,581
2006	39,013	39,140
2005	39,666	39,033

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## TENTH CIRCUIT

(Third Appellate District)



Tazewell County Courthouse, Pekin

#### Stuart P. Borden, Chief Judge

Peoria County Courthouse 324 Main Street, #215 Peoria, IL 61602 Circuit Population: 343,012 (2009 est.)

Counties (seats):

Marshall (Lacon)
Peoria (Peoria)
Putnam (Hennepin)
Stark (Toulon)
Tazewell (Pekin)

## **ELEVENTH CIRCUIT**

(Fourth Appellate District)



Livingston County Courthouse, Pontiac

Elizabeth A. Robb, Chief Judge

McLean County Law & Justice Center 104 W. Front Street, Room 511 Bloomington, IL 61701 Circuit Population: 288,025 (2009 est.)

Counties (seats):

Ford (Paxton)
Livingston (Pontiac)
Logan (Lincoln)
McLean (Bloomington)
Woodford (Eureka)

## TWELFTH CIRCUIT

(Third Appellate District)



Will County Courthouse, Joliet

Gerald R. Kinney, Chief Judge
Will County Courthouse
14 W. Jefferson, #439
Joliet, IL 60432
Circuit Population: 685,251 (2009 est.)

County (seat):
Will (Joliet)

Circuit Judges: Michael E. Brandt, Glenn H. Collier, Kevin R. Galley, Paul P. Gilfillan, Richard E. Grawey, Stephen A. Kouri, James E. Shadid, Scott A. Shore, Joe R. Vespa

Associate Judges: David J. Dubicki, Chris L. Fredericksen, Mark E. Gilles, Katherine Gorman Hubler, Kim L. Kelley, Timothy M. Lucas, Jerelyn D. Maher, Richard D. McCoy, Albert L. Purham, Jr., Lisa Y. Wilson

Pending Caseload	Civil	Felony	Juvenile
2009	16,141	1,433	1,786
2008	21,231	1,496	2,157
2007	20,424	1,440	2,614
2006	20,906	1,561	2,611
2005	20,161	1,560	2,582

Total Caseload	Filed	Disposed
2009	105,240	111,777
2008	113,511	111,507
2007	117,238	118,471
2006	109,580	109,244
2005	106,672	106,391

Circuit Judges: Jennifer H. Bauknecht, Scott D. Drazewski, Kevin P. Fitzgerald, Robert L. Freitag, Thomas M. Harris, Jr., John B. Huschen, Stephen R. Pacey, G. Michael Prall, Charles G. Reynard, James E. Souk

Associate Judges: David W. Butler, John Casey Costigan, Charles M. Feeney III, Mark A. Fellheimer, Thomas W. Funk, Rebecca Simmons Foley, Lee Ann S. Hill, Paul G. Lawrence, Robert M. Travers

Pending Caseload	Civil	Felony	Juvenile
2009	10,141	1,264	1,847
2008	9,780	1,396	1,674
2007	9,364	1,370	1,423
2006	8,963	1,281	1,158
2005	8,374	1,331	968

Total Caseload	Filed	Disposed
2009	91,197	101,205
2008	89,700	98,019
2007	93,061	100,527
2006	93,957	93,019
2005	87,888	89,665

Circuit Judges: James Jeffrey Allen, Brian E. Barrett, Amy M. Bertani-Tomczak, Raymond A. Bolden, Paula A. Gomora, Sarah-Marie F. Jones, Susan T. O'Leary, Carla J. Alessio Policandriotes, Daniel J. Rozak, Richard C. Schoenstedt, Richard J. Siegel, Stephen D. White

Associate Judges: Dinah J. Archambeault, Robert J. Baron, Bennett J. Braun, Robert P. Brumund, Edward A. Burmila, Jr., M. Thomas Carney, James E. Egan, James E. Garrison, Lawrence C. Gray, Robert P. Livas, Rick A. Mason, Raymond A. Nash, Barbara N. Petrungaro, Joseph C. Polito, Michael J. Powers, Marzell L. Richardson, Jr., Marilee Viola

Pending Caseload	Civil	Felony	Juvenile
2009	24,458	3,058	1,248
2008	22,548	2,966	1,363
2007	20,753	2,562	1,299
2006	19,055	2,795	1,346
2005	17,073	2,369	1,353

Total Caseload	Filed	Disposed
2009	187,001	195,606
2008	205,396	212,240
2007	206,645	211,433
2006	195,536	196,337
2005	188,475	209,082

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## THIRTEENTH CIRCUIT

(Third Appellate District)



Grundy County Courthouse, Morris

#### James A. Lanuti, Chief Judge

LaSalle County Courthouse 119 W. Madison, #204 Ottawa, IL 61350

Circuit Population: 195,618 (2009 est.)

Counties (seats):

Bureau (Princeton) Grundy (Morris) LaSalle (Ottawa)

## FOURTEENTH CIRCUIT

(Third Appellate District)



Whiteside County Courthouse, Morrison

Jeffrey W. O'Connor, Chief Judge

Rock Island County Courthouse 210 15<sup>th</sup> Street, #408 Rock Island, IL 61201 Circuit Population: 271,377 (2009 est.)

Counties (seats):

Henry (Cambridge)
Mercer (Aledo)
Rock Island (Rock Island)
Whiteside (Morrison)

## FIFTEENTH CIRCUIT

(Second Appellate District)



Jo Daviess County Courthouse, Galena

Michael Mallon, Chief Judge
Ogle County Courthouse
106 S. Fifth Street, #306A
Oregon, IL 61061
Circuit Population: 174,531 (2009 est.)

Counties (seats):

Carroll (Mount Carroll)
Jo Daviess (Galena)
Lee (Dixon)
Ogle (Oregon)
Stephenson (Freeport)

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Associate Judges: William P. Balestri, James L. Brusatte, Daniel J. Bute, Cornelius J. Hollerich, Lance R. Peterson

Pending Caseload	Civil	Felony	Juvenile
2009	5,994	635	417
2008	5,510	578	366
2007	5,336	571	344
2006	5,201	490	306
2005	4,916	458	242

Total Caseload	Filed	Disposed
2009	53,448	53,513
2008	53,705	53,775
2007	57,713	58,525
2006	58,133	57,913
2005	57,426	55,828

Circuit Judges: Walter D. Braud, James G. Conway, Jr., Ted Hamer, John L. Hauptman, Lori R. Lefstein, John R. McClean, Jr., F. Michael Meersman, James J. Mesich, Stanley B. Steines, Charles H. Stengel, Mark A. VandeWiele

Associate Judges: Michael R. Albert, John L. Bell, Thomas C. Berglund, Alan G. Blackwood, Gregory George Chickris, Raymond J. Conklin, Frank R. Fuhr, Dana R. McReynolds, Carol M. Pentuic, Richard A. Zimmer

Pending Caseload	Civil	Felony	Juvenile
2009	15,161	1,677	1,793
2008	14,568	1,728	1,559
2007	13,780	1,626	1,382
2006	15,091	1,548	1,125
2005	14,007	1,362	902

Total Caseload	Filed	Disposed
2009	76,527	75,191
2008	79,682	77,174
2007	82,379	80,076
2006	82,504	78,470
2005	79,127	78,509

Circuit Judges: Michael Paul Bald, Daniel A. Fish, Val Gunnarsson, Ronald M. Jacobson, William A. Kelly, Stephen C. Pemberton, Theresa L. Ursin

Associate Judges: Jacquelyn D. Ackert, Charles T. Beckman, Robert T. Hanson, James M. Hauser, David L. Jeffrey, John F. Joyce, Kathleen O. Kauffmann, Kevin J. Ward

Pending Caseload	Civil	Felony	Juvenile
2009	4,826	812	755
2008	4,644	808	825
2007	4,519	896	739
2006	4,519	786	503
2005	4,641	712	420

Total Caseload	Filed	Disposed
2009	50,183	49,927
2008	50,647	48,937
2007	49,817	49,240
2006	48,224	46,453
2005	47,002	47,064

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## SIXTEENTH **CIRCUIT**

(Second Appellate District)



DeKalb County Courthouse, Sycamore

F. Keith Brown, Chief Judge Kane County Judicial Center 37W777 Rte. 38, #400A St. Charles, IL 60175 Circuit Population: 724,046 (2009 est.)

Counties (seats):

DeKalb (Sycamore) Kane (Geneva) Kendall (Yorkville)

## SEVENTEENTH **CIRCUIT**

(Second Appellate District)



Winnebago County Courthouse, Rockford

Janet R. Holmgren, Chief Judge Winnebago County Courthouse 400 West State Street, #215 Rockford, IL 61101 Circuit Population: 353,722 (2009 est.)

Counties (seats):

Boone (Belvidere) Winnebago (Rockford)

Circuit Courts

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Circuit Judges: Susan Clancy Boles, Judith M. Brawka, Michael J. Colwell, James Donnelly, Joseph M. Grady, Kurt Klein, Bruce William Lester, Timothy J. McCann, Thomas E. Mueller, James R. Murphy, John A. Noverini, Timothy Q. Sheldon, Robert B. Spence, Robbin J. Stuckert, Stephen Sullivan

Associate Judges: Allen M. Anderson, Melissa S. Barnhart, Linda Abrahamson Baurle, William P. Brady, Franklin D. Brewe, Kevin T. Busch, Alan W. Cargerman, Thomas J. Gallagher, Patricia Piper Golden, James C. Hallock, Thomas C. Hull III, Robert L. Janes, Marmarie J. Kostelny, R. Matekaitis, Robert J. Morrow, Edward C. Schreiber, Mary Karen Simpson, Thomas J. Stanfa, Leonard J. Wojtecki

Pending Caseload	Civil	Felony	Juvenile
2009	29,111	4,599	1,567
2008	25,245	4,650	1,901
2007	22,111	4,601	2,064
2006	19,315	4,219	1,938
2005	12,639	4,029	2,296

Total Caseload	Filed	Disposed
2009	207,981	212,868
2008	209,009	209,569
2007	206,236	203,522
2006	214,977	200,967
2005	199,615	201,564

Circuit Judges: Rosemary Collins, Eugene G. Doherty, Lisa R. Fabiano, Gerald F. Grubb, Gwyn Gulley, Joseph G. McGraw, Ronald L. Pirrello, J. Edward Prochaska, Ronald J. White

Associate Judges: Joseph J. Bruce, Fernando L. Engelsma, Mary Linn Green, Patrick L. Heaslip, John S. Lowry, Richard A. Lucus, Steven L. Nordquist, Gary Pumilia, R. Craig Sahlstrom, Brian Dean Shore, John R. Truitt, Steven G. Vecchio, K. Patrick Yarbrough, John H. Young

Pending Caseload	Civil	Felony	Juvenile
2009	24,370	4,618	3,536
2008	22,641	4,879	3,331
2007	22,051	4,997	3,009
2006	19,958	5,067	3,323
2005	18,180	4,106	3,284

Total Caseload	Filed	Disposed
2009	122,034	121,356
2008	124,614	123,457
2007	126,366	125,067
2006	121,751	118,143
2005	121,539	118,776

## EIGHTEENTH CIRCUIT

(Second Appellate District)



DuPage County Courthouse, Wheaton

Stephen J. Culliton, Chief Judge
DuPage County Courthouse
505 N. County Farm Rd., #2015
Wheaton, IL 60187
Circuit Population: 932,541 (2009 est.)

County (seat):
DuPage (Wheaton)

## NINETEENTH CIRCUIT

(Second Appellate District)



Lake County Courthouse, Waukegan

James K. Booras, Chief Judge
Lake County Courthouse
18 N. County Street
Waukegan, IL 60085
Circuit Population: 712,567 (2009 est.)

County (seat):

Lake (Waukegan)

\* Effective December 4, 2006, Public Act 93-0541 created a new 22nd Judicial Circuit separating the counties of McHenry and Lake into single county circuits. For trend reporting purposes, the five year trend reports provided for the 19th and 22nd Judicial Circuit charts reflect individual county totals for Lake County (19th Judicial Circuit) and McHenry County (22nd Judicial Circuit).

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Circuit Judges: Robert J. Anderson, George J. Bakalis, Kathryn E. Creswell, John T. Elsner, Rodney W. Equi, Blanche Hill Fawell, Daniel P. Guerin, John Kinsella, Kenneth Popejoy, Thomas J. Riggs, Richard M. Stock, Perry R. Thompson, Hollis L. Webster, Bonnie M. Wheaton

Associate Judges: C. Stanley Austin, Joseph S. Bongiorno, Liam C. Brennan, Neal W. Cerne, Linda E. Davenport, John W. Demling, Brian J. Diamond, Thomas C. Dudgeon, William I. Ferguson, Dorothy F. French, Paul M. Fullerton, Bruce R. Kelsey, Robert G. Kleeman, James J. Konetski, Patrick J. Leston, Paul A. Marchese, Timothy J. McJoynt, Brian R. McKillip, Robert A. Miller, Jane Hird Mitton, Paul Noland, Mary E. O'Connor, Peter W. Ostling, Cary B. Pierce, Richard D. Russo, Elizabeth W. Sexton, Terence M. Sheen, George J. Sotos, Ronald D. Sutter, Karen M. Wilson

Pending Caseload	Civil	Felony	Juvenile
2009	18,457	1,842	1,480
2008	16,367	2,030	1,286
2007	15,612	2,135	994
2006	14,041	2,314	801
2005	13,000	2,284	700

Total Caseload	Filed	Disposed
2009	312,572	329,257
2008	328,207	346,736
2007	318,126	347,035
2006	320,626	340,619
2005	314,643	329,863

Circuit Judges: Valerie Boettle Ceckowski, Fred Foreman, David M. Hall, Raymond J. McKoski, Margaret J. Mullen, Jorge L. Ortiz, John T. Phillips, Victoria A. Rossetti, Christopher C. Starck, Jay W. Ukena, Diane E. Winter

Associate Judges: Luis A. Berrones, Michael B. Betar, George Bridges, David P. Brodsky, Raymond D. Collins, Wallace B. Dunn, Michael J. Fusz, Mitchell L. Hoffman, Brian P. Hughes, Charles D. Johnson, Sarah P. Lessman, Veronica M. O'Malley, Theodore S. Potkonjak, Helen Rozenberg, Thomas M. Schippers, John J. Scully, Daniel B. Shanes, George D. Strickland, Christopher Stride, Donna-Jo Vorderstrasse, Nancy S. Waites, Joseph R. Waldeck

Pending Caseload	Civil	Felony	Juvenile
2009	18,120	2,305	401
2008	14,936	2,483	507
2007	14,192	2,233	468
2006	11,362	2,176	487
2005	10,368	2,039	486

Total Caseload	Filed	Disposed
2009	232,663	241,671
2008	241,189	250,134
2007	245,681	256,329
2006	253,319	265,786
2005	256,698	270,154

## TWENTIETH CIRCUIT

(Fifth Appellate District)



Randolph County Courthouse, Chester

#### C. John Baricevic, Chief Judge

St. Clair County Building
10 Public Square
Belleville, IL 62220

Circuit Population: 366,523 (2009 est.)

#### Counties (seats):

Monroe (Waterloo)
Perry (Pinckneyville)
Randolph (Chester)
St. Clair (Belleville)
Washington (Nashville)

## TWENTY-FIRST CIRCUIT

(Third Appellate District)



Iroquois County Courthouse, Watseka

#### Kathy Bradshaw Elliott, Chief Judge

Kankakee County Courthouse 450 East Court Street Kankakee, IL 60901 Circuit Population: 142,905 (2009 est.)

#### Counties (seats):

Iroquois (Watseka) Kankakee (Kankakee)

## TWENTY-SECOND CIRCUIT

(Second Appellate District)



McHenry County Government Center, Woodstock

Michael J. Sullivan, Chief Judge
McHenry County Government Center
2200 N. Seminary Ave.
Woodstock, IL 60098
Circuit Population: 320,961 (2009 est.)

County (seat):

McHenry (Woodstock)

\* Effective December 4, 2006, Public Act 93-0541 created a new 22nd Judicial Circuit separating the counties of McHenry and Lake into single county circuits. For trend reporting purposes, the five year trend reports provided for the 19th and 22nd Judicial Circuit charts reflect individual county totals for Lake County (19th Judicial Circuit) and McHenry County (22nd Judicial Circuit).

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Associate Judges: Richard A. Aguirre, Brian A. Babka, Walter C. Brandon, Jr., Richard Brown, Laninya Cason, Michael N. Cook, Zina Renea Cruse, Ellen A. Dauber, Andrew J. Gleeson, Randall W. Kelley, Vincent J. Lopinot, Stephen R. Rice, Heinz M. Rudolf

Pending Caseload	Civil	Felony	Juvenile
2009	17,253	1,487	461
2008	16,181	1,407	278
2007	17,949	1,435	319
2006	16,997	1,642	300
2005	17,050	1,620	294

Total Caseload	Filed	Disposed
2009	133,314	139,230
2008	141,279	130,206
2007	141,300	116,986
2006	138,303	122,729
2005	136,404	121,508

Circuit Judges: Adrienne W. Albrecht, Clark E. Erickson, Michael J. Kick, Gordon Lee Lustfeldt, Susan Sumner Tungate, Kendall O. Wenzelman

Associate Judges: James B. Kinzer, Michael D. Kramer, Kenneth A. Leshen, William O. Schmidt

Pending Caseload	Civil	Felony	Juvenile
2009	17,159	989	700
2008	16,710	1,012	754
2007	16,520	869	851
2006	15,795	842	811
2005	14,957	847	776

Total Caseload	Filed	Disposed
2009	39,937	39,647
2008	44,942	44,798
2007	49,975	48,221
2006	48,072	45,708
2005	45,903	46,769

Circuit Judges: Michael T. Caldwell, Michael J. Chmiel, Joseph P. Condon, Maureen P. McIntyre, Sharon Prather, Charles P. Weech

Associate Judges: Robert Beaderstadt, John D. Bolger, James S. Cowlin, Michael W. Feetterer, Gordon E. Graham, Suzanne C. Mangiamele, Thomas A. Meyer, Robert A. Wilbrandt, Jr., Gerald M. Zopp, Jr.

Pending Caseload	Civil	Felony	Juvenile
2009	6,282	1,143	468
2008	5,315	1,208	575
2007	5,137	1,069	607
2006	4,460	862	682
2005	4,039	677	610

Total Caseload	Filed	Disposed
2009	93,829	98,912
2008	103,144	107,524
2007	105,492	108,141
2006	96,765	98,947
2005	93,320	96,964

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# ADMINISTRATIVE OFFICE

Office Executive comprised of the Administrative Director, the Executive Assistant to Director, the Senior Attorney, attorney(s), supporting and administrative staff. Through the Administrative Director, the



Executive Office is responsible for coordinating and guiding the operations of each of the divisions of the Administrative Office and serves as a central resource for myriad operational issues which impact the administration of the judicial branch.

The Executive Office, on behalf of the Supreme Court, manages and coordinates liaison activities with Executive and Legislative Branch officials and agencies. One of the major duties performed for the Supreme Court is the consideration of non-routine administrative matters, which are presented during each of the Court's terms. The Administrative Director, in collaboration with the Chief Justice, prepares and presents agenda issues to the Court for discussion and deliberation to assure that the business of the judicial branch is thoroughly managed. Agenda items approved by the Court for action are then implemented by the Director through the Executive Office.

The Executive Office plans and directs Administrative Office staff support for the Supreme Court Committees and the Committees of the Illinois Judicial Conference. The study and recommendations which flow from each Judicial Conference Committee to the Supreme Court impact matters related to improving the administration of justice in Illinois. Consistent with the Court's reliance on the work of the Judicial Conference committees to examine and make recommendations on matters of judicial branch

policy, the Court again assigned specific tasks and projects to Judicial Conference committees in 2009. The Administrative Director assigns senior lever staff, with subject matter expertise, to serve as liaisons to assist each committee in their assignments.

In its administration of Supreme Court Rule 39 (Appointment of Associate Judges), the Executive Office conducted twenty-five associate judge elections in fourteen of Illinois' twenty-three judicial circuits during 2009. The Executive Office also processes applications filed under Supreme Court Rule 295, which authorizes the assignment of associate judges to hear felony matters. Additionally, applications for licenses issued to those law students seeking to provide limited legal representation under Supreme Court Rule 711 are processed through the Executive Office.

The Executive Office's activities and responsibilities also include securing and tracking legal representation through the Office of the Attorney General for members of the judicial branch named in a case or controversy arising out of the performance of their official duties. Executive Office staff negotiates, prepares,

## ADMINISTRATIVE OFFICE DIRECTORY

#### **EXECUTIVE OFFICE**

Cynthia Y. Cobbs, Director Michael Tardy, Executive Assistant Marcia Meis, Senior Attorney

#### ADMINISTRATIVE OFFICE DIVISIONS

Administrative Services Division - Kathleen L. O'Hara, Assistant Director Court Services Division - Dawn Marie Rubio, Assistant Director Judicial Education Division - Cyrana Mott, Assistant Director Judicial Management Information Services (JMIS) - Skip Robertson, Assistant Director Probation Services Division - Cheryl Barrett, Assistant Director

Administrative Office - Chicago 222 North LaSalle Street, 13th Floor Chicago, IL 60601 (312) 793-3250 FAX: (312) 793-1335

Administrative Office - Springfield 3101 Old Jacksonville Road Springfield, IL 62704 (217) 558-4490 FAX: (217) 785-3905

and manages office leases and contracts for the Supreme and Appellate Courts, mandatory arbitration programs, and the Administrative Office. All vendor contracts generated by the Administrative Office for use in securing goods and services are reviewed and approved by the Executive Office. Written summaries of recent Supreme Court opinions are prepared by legal staff within the Executive Office for distribution to all Illinois Judges. Additionally, the Executive Office serves as secretary to the Illinois Courts Commission, managing the filing and preservation of Commission records, distributing the Official Courts Commission Illinois Reports, performing all other duties typically executed by a clerk of a court of record. Executive Office Staff also prepares and executes grants which provide for programming funded through the Lawyer's Assistance Program Act.

The Administrative Services Division provides technical and support services to the judicial branch through its five operational units; the Payroll/Benefits Unit, the Accounting Unit, the Budget Unit, the Human Resources Unit, and Mail/Reprographics Unit.

The Payroll/Benefits Unit maintains all payroll records for current state-paid judicial branch employees, as well as records for all previous employees. Staff of this unit work with the Office of the Comptroller to produce both monthly and semi-monthly payrolls for over 1,500 current judicial branch employees. Staff also coordinate the state's varied employee benefit programs, including health, dental, and life insurance.

The Accounting Unit consistently and accurately processes all payment vouchers for the Supreme Court, the Appellate Court, the state-paid functions of the circuit courts, and the Administrative Office. The Accounting Unit also maintains all financial records for the expenditure of resources appropriated by the General Assembly. Staff of this unit work closely with staff of the Comptroller's Office to reconcile payment information and provide that office any additional information needed to facilitate the payment of iudicial branch bills.

In addition to overseeing procurement and





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inventory controls, the Budget Unit produces highly technical and analytical financial reports used by judicial branch managers and the Administrative Director. These reports track daily spending, contractual obligations, and projected needs. This unit also prepares the comprehensive documentation utilized in the development and implementation of the annual judicial branch budget. The Budget Unit monitors the number of authorized judicial and non-judicial positions within the judicial branch and coordinates the flow of information among the Secretary of State's Office and the State Board of Elections regarding judicial election.

The Human Resource Unit provides personnel services to judicial branch employees and managers. Staff within this unit maintain comprehensive attendance records for all judicial branch personnel covered by the Supreme Court's Leave of Absence Policies and assist individuals with questions regarding the associated paid and unpaid leaves of absences. Staff interact with CMS personnel to coordinate the state's workers' compensation program. The Human Resource Unit also works with judicial branch employees and managers in administering the judicial branch's classification and compensation plan. When requested, staff of this unit also assist judicial branch managers in their recruitment and selection process, including the placement of advertisements, the dissemination, collection, and review of applications, administering proficiency testing, and securing reference checks. The Mail/ Reprographics Unit oversees the distribution of mail and parcel services for the Administrative Office. Acting as its own print shop, staff of this unit review materials presented for copying and determine the best method to replicate the originals. In many instances, the Unit produces print quality manuals, brochures, and publications.

The Court Services Division is organized into four working groups (the Courts, Children and Families Unit; the Program Unit; the Recordkeeping and Technology Unit; and the Labor Unit) and is involved in a diverse and wide range of activities and projects affecting judges, circuit clerks, and other components of the judicial branch of government. The Division is

responsible for staffing a variety of Supreme Court committees, Judicial Conference committees, and the Conference of Chief Circuit Judges. It produces the Judicial Conference Report, the Court-Annexed Mandatory Arbitration Report and this annual report. The Division also serves as the primary liaison for addressing concerns and initiatives relating to the trial courts and circuit court clerks. It assists with local labor negotiations that impact the judicial branch. In addition, a number of specific-topic programs, such as management of the Capital Litigation Trial Bar (CLTB), maintenance of judicial branch long-range capital development plans, and maintenance of a court interpreter registry, are administered by the Division. Child protection projects, including management of related federal grants, are also one of its responsibilities. Also, Court Services oversees the operations of 16 mandatory arbitration programs. Finally, the Division provides legislative support services to the Supreme Court, and prepares legislative summaries for Chief Circuit Judges and circuit clerks.

In coordination with the Division, and pursuant to Supreme Court Rule 58, voluntary judicial performance evaluations were conducted in 2009 in the Ninth, Thirteenth and Twentieth Judicial Circuits. In 2009, Court Services staff processed 92 applications for membership in the Capital Litigation Trial Bar. Also, staff processed 11 applications for certification as an approved provider of Capital Litigation Trial Bar continuing legal education training courses. As of December 31, 2009 there were 869 members of the Illinois Capital Litigation Trial Bar. The Division

processed the removal of 94 members from the active roster of the Capital Litigation Trial Bar for failure to comply with continuing education requirements as mandated by Supreme Court Rule 714(g). Pursuant to Supreme Court Rule 714(i), the division assisted in the reinstatement of four members to the active roster of the Capital Litigation Trial Bar. In 2009, the staff administered 13 impartial medical examination orders pursuant to Illinois Supreme Court Rule 215(d). The Labor Unit represented judicial employers in negotiating approximately 35 collective bargaining agreements, and in advising judges and circuit clerks on matters of contract interpretation and administration.

The Division is responsible for a number of initiatives and projects associated with child protection issues in the Illinois courts, including the management of the federally-funded statewide Court Improvement Program (CIP). There are currently three grant awards (Basic, Data and Training) for which the staff manages all technical, fiscal and program components. The Division identified legal representation as the funding priority through 2011, therefore preference will be given to programming and funding projects that focus on improving outcomes for children and families, by enhancing the effectiveness of legal representation of children, parents, the state, and the child welfare agency in child abuse and neglect, and termination of parental rights proceedings. One example includes the development and regional delivery of the training Joining Forces: Tackling the Challenges Attorneys Face in Juvenile Abuse and Neglect Cases. During two CIP funding cycles the Division funded 19 proposals. The second funding cycle included awards specifically related to the legal representation funding priority. As a result of the Data Collection and Analysis Needs

Assessment, completed in 2008, the Division established a multipronged approach to implement the recommendations contained in the assessment. The initial step in implementation is the Child Protection Data Courts [CPDC] Project. The initial purpose of the CPDC project is to establish a short-term manual court data collection structure to measure the nine key child protection court measures and enable the courts to improve efficiency and effectiveness in ensuring safety,

permanency, due process, and timeliness in child protection cases.

The Division also provides a wide range of guidance and technical support services to circuit clerks and their staff. Division staff continues to work with the Oversight Board for Continuing Education of the Illinois Association of Court Clerks to develop educational programs for circuit clerks and their staff, and coordination of the New Clerk Mentor Program. Division staff also coordinated and conducted a three-day New Clerk Orientation in January of 2009 for 21 newly elected circuit clerks and their mentors. An update of the Manual on Fines and Fees and the Manual on Recordkeeping is in process and will be distributed electronically to Chief Circuit Judges and Circuit Clerks upon completion during 2010. Staff assisted the Office of the Auditor General in review of the Circuit Clerk Audit Guidelines and published and distributed the revisions to county board chairs and circuit clerks. The Division coordinated activities relating to implementation of the Supreme Court approved Electronic Business Initiative, providing a framework for specific statewide e-Business services in the trial courts. In 2009, Logan, Bond and St. Clair Counties were approved to accept electronic pleas of guilty in accordance with the Standards for accepting pleas of guilty in minor traffic and conservation offenses pursuant to Supreme Court Rule 529. Four counties are participating in e-Filing pilots - Cook, DuPage, Will and Madison. These pilots are authorized to accept electronic filings for various authorized case categories as approved by the Supreme Court. The AOIC provided merged jury lists to 99 counties in 2009. Petit juror and grand jury handbooks were supplied to counties as needed. The Division continues to manage the Offense Code Table (OFT) to identify offenses



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reported through the Automated Disposition Reporting (ADR) Program. A complete, updated version of the OFT was issued in April 2009, and is currently used for ADR reporting in 86 Illinois counties.

The Judicial Education Division is responsible for the coordination and development of judicial education resources to ensure Illinois judges acquire the knowledge and skills needed to be effective jurists. In that regard, the Division partners with and provides administrative support to the Illinois Judicial Conference Committee on Education, the Special Supreme Court Committee on Capital Cases, the Judicial Mentor Committee, the Appellate Court Administrative Committee and other committees, commissions or groups as determined by the training and educational needs of the judiciary on behalf of the Court.

Since the Supreme Court's adoption of a 30 hour continuing judicial education requirement for all Appellate, Circuit and Associate Judges, the Division has coordinated along with the Illinois Judicial Conference Committee on Education, the presentation of Education Conference 2008 and 2010. Over 950 judges attended the two sessions of Education Conference 2008, with the same attendance expectation for the 2010 Conference. Education Conference 2010 will offer judicial education training in four core tracks: Judicial Conduct, Professionalism and Ethics; Civil Law and Procedure; Criminal Law and Procedure; and Family Law and Procedure. Fifty-one sessions, many to be presented twice over the course of five days, will be taught or facilitated by 133 judicial faculty and guest speakers.

The Division is actively engaged from year-toyear with the Project Benchbook Editorial Board of the Committee on Education in the production of judicial benchbooks. In the fall of 2009, the first edition of the Criminal Law and Procedure benchbook was released along with 2009 Updates to judicial benchbooks on Domestic Violence, Civil Law and Procedure, DUI/Traffic, Evidence and Family Law and Procedure in hardcopy and CD format. In 2010, benchbooks will be available to the Illinois judiciary through the judicial portal. The first edition of the benchbook on Capital Cases, produced in partnership with the Special Supreme Court Committee on Capital Cases, is scheduled to be distributed in the fall of 2010 to members of the judiciary certified to hear capital cases.

The Division oversaw the presentation of two Capital Litigation Seminars in accordance with Supreme Court Rule 43, the New Judge Seminar, the Appellate Court Conference, a Faculty Development Workshop for judges serving as judicial education program faculty, and the 2009-2010 Seminar Series which included two regional (two day) seminars and one mini-seminar (one day). The University of Illinois College of Law was the setting for the 2009 Advanced Judicial Academy, a biennial event, which the College of Law will host again in June, 2011. In addition, the Division, as part of its staff support to the Judicial Mentor Committee, administers the New Judge Mentor program, which provides an experienced judicial mentor for all new Illinois judges. Lastly, the Division collaborated with the Judicial Management Information Services (JMIS) Division of the Administrative Office in the development and launch of an electronic registration system, namely, the Conference Management Application or CMA.

The Judicial Management Information Services (JMIS) Division is one of five divisions within the Administrative Office of the Illinois Courts (AOIC). The JMIS division is charged with providing technology to the offices and staff of the Illinois Supreme and Appellate Courts, Supreme Court supporting units and all divisions within the AOIC. The JMIS division is staffed by 23 professionals consisting of four groups organized to respond to the technology initiatives assigned by the Administrative Director.

The Hardware / Software group manages the Courts' local and wide area networks, servers, personal computers, peripherals, and productivity software. The Hardware / Software group is also responsible for the installation and support of the state-provided digital recording systems in the supreme, appellate and trial courts. The Internet Services group is responsible for the design and upkeep of the Court's website (www.state.il.us/ court) as well as the use of Internet technologies that enhance the exchange of information throughout the judiciary. The User Services group staffs JMIS' Help Desk, is responsible for database administration, provides telecommunication services, and manages the inventory and asset tracking of the Court's technology equipment. The Application Group is responsible for the design and development of more than twenty enterprise database applications written using an Oracle or Progress database system.

In 2009, through the Administrative Director and Illinois Supreme Court, JMIS has completed the installation of electronic recording systems in each of the five Appellate Districts. Consistent with the audio and video recording of Supreme Court arguments, all Appellate Court and Workers' Compensation hearings are now recorded and posted to the Court's website.

At the direction of the Administrative Director, the AOIC continued its work on planning and implementation of the electronic business initiative to provide statewide electronic filing, electronic pleas of guilty for traffic citations, and a central repository of probation and trial court case information. Using information received from a target assessment study, an infrastructure prototype, and discussions with technology-specific vendors, the e-Business initiative is expected to progress with the implementation of a database platform and infrastructure standards to govern the Court's e-Business model.

The Probation Services Division provides services to Chief Judges and their probation staff in all circuits. The Probation and Probation Officer's Act, at 730 ILCS 110/15 (1) states: "The Supreme Court of Illinois may establish a Division of Probation Services whose purpose shall be the development, establishment, promulgation, and enforcement of uniform standards for probation services in the State, and otherwise carry out the intent of this Act." Consistent with its statutory responsibility, the mission of the Probation Division is to improve the quality, effectiveness, and professionalism of probation and detention services in Illinois. In carrying out this mission, the Division's training, monitoring, standards-setting, and technical assistance activities extend to all aspects of the administration and operation of Illinois probation and court services departments. These activities include the administration of state reimbursement to counties for probation and detention services, review and approval of annual probation plans submitted by each department, collection and analysis of statewide probation data, administration of probation employment and compensation standards, implementation of evidence-based practices (EBP) in the supervision of offenders on probation, monitoring and evaluating probation programs and operations, administration of the interstate compact for

probationers transferring into and out of the state, design and delivery of basic and advanced training for probation and detention personnel, and provision of technical assistance and staff support to circuit courts to improve the administration and operation of probation services in Illinois. In 2009, the Division's major focus was the application of the Supreme Court's data-driven model of probation reimbursement consistent with the principles of Evidence-Based Practices (EBP). Concomitant with the 25% reduction in 2009 appropriations to the Supreme Court for probation, is the Division's responsibility to work with chief circuit judges and probation departments to ensure core probation services are sustained. Many probation departments have struggled to preserve core services as a result of budget cuts and staff reductions.

Notwithstanding the critical shortfall in state probation funding in 2009, the furtherance of EBP principles and programming continued. Division staff provided a wide array of technical assistance and training to probation officers in such areas as Motivational Interviewing, Stages of Change, and cognitive-behavioral curriculums, including "Thinking For A Change." Applied to target the higher risk offenders, the ultimate goal of EBP probation in Illinois is to achieve a significant reduction in the number of future crimes and victims. Out of the funding crisis in 2009 has emerged an even more urgent commitment to fully implementing and measuring EBP throughout Illinois.

The Division sponsored fifty-one (51) training events in 2009 that served over 1,500 participants. In addition to Basic Training for probation and detention staff, training topics in 2009 included cognitive-behavioral interventions and curriculums; Level of Service Inventory-Revised (LSI-R), Youth Assessment Screening Instrument (YASI), Officer Safety, Legal Issues, and the Probation Directors' Leadership Academy.

Preparations and plans were finalized for upgrading the Youth Assessment and Screening Instrument (YASI) project for juvenile offenders to a secure, web-based application that will enhance case supervision planning and the application of the effective casework model (ECW). It is anticipated that a three phase transition will be accomplished by mid-year 2010.





